

THIRTY-THIRD DAY.

(Continued.)

(Tuesday, February 26, 1929.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Smith, Senate bill No. 335 was ordered not printed.

On motion of Mr. Strong, Senate bills Nos. 527 and 536 were ordered not printed.

On motion of Mr. Snelgrove, House bill No. 738 was ordered not printed.

On motion of Mr. Cox of Lamar, House bill No. 736 was ordered not printed.

On motion of Mr. Montgomery, House bill No. 735 was ordered not printed.

On motion of Mr. Pavlica, House bill No. 734 was ordered not printed.

On motion of Mr. McGill, Senate bill No. 468 was ordered not printed.

On motion of Mr. Murphy, Senate bills Nos. 404 and 549 were ordered not printed.

On motion of Mr. Thurmond, Senate bill No. 524 was ordered not printed.

COMMITTEE SUBSTITUTE ORDERED PRINTED.

On motion of Mr. Murphy, the committee substitute to Senate bill No. 451 was ordered printed instead of the original bill.

HOUSE BILL NO. 440 ON SECOND READING.

On motion of Mr. Ray, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 440, A bill to be entitled "An Act to amend Article 6228, Title 109, of the Revised Civil Statutes of Texas, A. D. 1925, which relates to payment of a monthly allowance to indigent widowed mothers; prescribing the manner of procuring such allowance and authorizing the county court to appoint a number of women who are willing to render gratuitous service in assisting said widows."

The Speaker laid the bill before the House and it was read second time.

Mr. Ray offered the following (committee) amendments to the bill:

(1)

Amend line 10, Section 1 by changing "resides" to "has resided."

(2)

Amend line 23, Section 1, by changing "furniture" to "future."

The amendments were severally adopted.

Mr. McCombs offered the following amendment to the bill:

Amend H. B. No. 440 by changing word "have" in line 11, page 2, to "may."

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 440 then failed to pass to engrossment by the following vote:

Yeas—37.

| | |
|------------------|-------------|
| Baker. | Loy. |
| Barnett. | Metcalfe. |
| Bateman. | Olsen. |
| Carpenter. | Palmer. |
| Cox of Navarro. | Pavlica. |
| Davis. | Quinn. |
| DeWolfe. | Ray. |
| Forbes. | Reader. |
| Giles. | Richardson. |
| Harman. | Savage. |
| Hines. | Shelton. |
| Holder. | Shipman. |
| Jenkins. | Tarwater. |
| Kayton. | Thurmond. |
| Keller. | Waddell. |
| King. | Wallace. |
| Land. | Williams |
| Lemens. | of Travis. |
| Long of Wichita. | Woodruff. |

Nays—69.

| | |
|------------------|--------------------|
| Ackerman. | Hogg. |
| Adkins. | Hopkins. |
| Albritton. | Hubbard. |
| Baldwin. | Johnson of Smith. |
| Beck. | Johnson of Scurry. |
| Bounds. | Jones. |
| Brice. | Justiss. |
| Brooks. | Kemble. |
| Coltrin. | Kennedy. |
| Conway. | Kenyon. |
| Cox of Lamar. | Kincaid. |
| Enderby. | Long of Houston. |
| Ewing. | Mankin. |
| Eickenroht. | McCombs. |
| Gates. | McGill. |
| Gerron. | McKean. |
| Gilbert. | Montgomery. |
| Graves of Erath. | Moore. |
| Hardy. | Mosely. |
| Harrison. | Murphy. |
| Hefley. | Negley. |

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| O'Neill. | Stephens. |
| Patterson. | Storey. |
| Pope of Jones. | Strong. |
| Pope of Nueces. | Tillotson. |
| Reid. | Turner. |
| Renfro. | Veatch. |
| Rogers. | Warwick. |
| Rountree. | Westbrook. |
| Sanders. | White. |
| Sherrill. | Wiggs. |
| Simmons. | Williams |
| Sinks. | of Sabine. |
| Snelgrove. | Woodall. |
| Speck. | Young. |

Present—Not Voting.

Maynard.

Absent.

| | |
|-------------------|--------------|
| Acker. | Kinnear. |
| Anderson. | Martin. |
| Bradley. | Mauritz. |
| Cox of Limestone. | McDonald. |
| Dunlap. | Mehl. |
| Duvall. | Morse. |
| Finn. | Mullally. |
| Finlay. | Nicholson. |
| Fuchs. | Pool. |
| Harding. | Prendergast. |
| Heaton. | Purl. |
| Johnson | Smith. |
| of Dimmit. | Thompson. |
| Keeton. | Van Zandt. |

Absent—Excused.

| | |
|----------------|------------|
| Avis. | Minor. |
| Bond. | Petsch. |
| Chastain. | Shaver. |
| Graves | Stevenson. |
| of Williamson. | Walters. |
| Harper. | Webb. |
| Hornaday. | Williams |
| Lee. | of Hardin. |

Mr. McCombs moved to reconsider the vote by which the bill failed to pass to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 399 ON SECOND READING.

On motion of Mr. Kincaid the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 399, A bill to be entitled "An Act to provide for the sexual sterilization of inmates of State institutions in certain cases; prescribing the method of procedure and fixing duties of officials concerned therewith."

The Speaker laid the bill before the House and it was read second time.

Mr. Pope of Nueces offered the following amendment to the bill:

Amend House bill No. 399 by striking out the words "and if" at the end of line 5, page 2, and by striking out lines 6 to 21, page 2, and by striking out Sections 4 and 5 and renumbering correctly succeeding sections.

The amendment was adopted.

House bill No. 399 was then passed to engrossment.

HOUSE BILL NO. 399 ON THIRD READING.

Mr. Kincaid moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 399 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

| | |
|--------------------|------------------|
| Acker. | Kayton. |
| Ackerman. | Kemble. |
| Adkins. | Kincaid. |
| Anderson. | King. |
| Baker. | Kinnear. |
| Baldwin. | Land. |
| Barnett. | Lemens. |
| Beck. | Long of Houston. |
| Bounds. | Martin. |
| Bradley. | Mauritz. |
| Brice. | Maynard. |
| Carpenter. | McCombs. |
| Chastain. | McGill. |
| Coltrin. | McKean. |
| Conway. | Mehl. |
| Cox of Navarro. | Metcalfe. |
| Cox of Lamar. | Moore. |
| Cox of Limestone. | Morse. |
| Davis. | Mosely. |
| DeWolfe. | Mullally. |
| Enderby. | Murphy. |
| Ewing. | Negley. |
| Finn. | Nicholson. |
| Finlay. | Olsen. |
| Fuchs. | O'Neill. |
| Gerron. | Palmer. |
| Gilbert. | Patterson. |
| Giles. | Pavlica. |
| Graves of Erath. | Petsch. |
| Hardy. | Pool. |
| Harding. | Pope of Nueces. |
| Harrison. | Purl. |
| Heaton. | Quinn. |
| Hines. | Ray. |
| Hogg. | Reader. |
| Holder. | Rogers. |
| Hopkins. | Sanders. |
| Hubbard. | Savage. |
| Jenkins. | Shaver. |
| Johnson of Scurry. | Shelton. |
| Justiss. | Sherrill. |

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| Shipman. | Westbrook. |
| Simmons. | White. |
| Speck. | Wiggs. |
| Stephens. | Williams |
| Strong. | of Sabine. |
| Thurmond. | Woodall. |
| Van Zandt. | Woodruff. |
| Veatch. | Young. |
| Warwick. | |

Nays—21.

| | |
|-------------------|----------------|
| Bateman. | Jones. |
| Bond. | Kennedy. |
| Brooks. | Loy. |
| Eickenroht. | Mankin. |
| Forbes. | Minor. |
| Gates. | Pope of Jones. |
| Graves | Reid. |
| of Williamson. | Renfro. |
| Hefley. | Stevenson. |
| Johnson | Storey. |
| of Dimmit. | Waddell. |
| Johnson of Smith. | |

Absent.

| | |
|------------------|-------------|
| Albritton. | Richardson. |
| Dunlap. | Rountree. |
| Duvall. | Sinks. |
| Harman. | Smith. |
| Keeton. | Snelgrove. |
| Keller. | Tarwater. |
| Kenyon. | Thompson. |
| Long of Wichita. | Tillotson. |
| McDonald. | Turner. |
| Montgomery. | Williams |
| Prendergast. | of Travis. |

Absent—Excused.

| | |
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| Avis. | Walters. |
| Harper. | Webb. |
| Lee. | Williams |
| Hornaday. | of Hardin. |
| Wallace. | |

The Speaker then laid House bill No. 399 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

| | |
|--------------|-------------------|
| Mr. Speaker. | Coltrin. |
| Acker. | Conway. |
| Ackerman. | Cox of Navarro. |
| Adkins. | Cox of Lamar. |
| Anderson. | Cox of Limestone. |
| Baker. | Davis. |
| Baldwin. | DeWolfe. |
| Barnett. | Enderby. |
| Beck. | Ewing. |
| Bounds. | Finn. |
| Bradley. | Finlay. |
| Brice. | Fuchs. |
| Carpenter. | Gerron. |
| Chastain. | Gilbert. |

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| Giles. | O'Neill. |
| Hardy. | Palmer. |
| Harding. | Petsch. |
| Harman. | Pool. |
| Harrison. | Pope of Nueces. |
| Heaton. | Prendergast. |
| Hines. | Purl. |
| Hogg. | Quinn. |
| Holder. | Ray. |
| Hopkins. | Reader. |
| Hubbard. | Reid. |
| Jenkins. | Rogers. |
| Johnson of Scurry. | Sanders. |
| Kayton. | Savage. |
| Keller. | Shaver. |
| Kemble. | Shelton. |
| Kincaid. | Sherrill. |
| King. | Simmons. |
| Kinnear. | Sinks. |
| Land. | Smith. |
| Lemens. | Snelgrove. |
| Long of Houston. | Speck. |
| Martin. | Stephens. |
| Mauritz. | Strong. |
| Maynard. | Thurmond. |
| McCombs. | Tillotson. |
| McGill. | Van Zandt. |
| McKean. | Veatch. |
| Mehl. | Warwick. |
| Metcalfe. | White. |
| Moore. | Wiggs. |
| Morse. | Williams |
| Mosely. | of Sabine. |
| Mullally. | Woodall. |
| Negley. | Woodruff. |
| Nicholson. | Young. |
| Olsen. | |

Nays—26.

| | |
|-------------------|----------------|
| Albritton. | Jones. |
| Bateman. | Justiss. |
| Bond. | Loy. |
| Brooks. | Mankin. |
| Eickenroht. | Minor. |
| Forbes. | Murphy. |
| Gates. | Pavlica. |
| Graves | Pope of Jones. |
| of Williamson. | Renfro. |
| Graves of Erath. | Shipman. |
| Hefley. | Stevenson. |
| Johnson | Storey. |
| of Dimmit. | Waddell. |
| Johnson of Smith. | Wallace. |

Present—Not Voting.

Kennedy.

Absent.

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| Dunlap. | Richardson. |
| Duvall. | Rountree. |
| Keeton. | Tarwater. |
| Kenyon. | Thompson. |
| Long of Wichita. | Turner. |
| McDonald. | Westbrook. |
| Montgomery. | Williams |
| Patterson. | of Travis. |

Absent—Excused.

| | |
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| Avis. | Walters. |
| Harper. | Webb. |
| Hornaday. | Williams |
| Lee | of Hardin. |

Mr. McCombs moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 465 ON SECOND READING.

On motion of Mr. Albritton, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 465, A bill to be entitled "An Act to amend Title 11, Chapter 6-A (6a), Article 588½ qq of the Penal Code of the Revised Civil Statutes of the State of Texas, so as to provide adequate and proper punishment for the violation of said chapter, same being the state-wide intoxicating liquor prohibition."

The Speaker laid the bill before the House and it was read second time.

Mr. Albritton offered the following (committee) amendment to the bill:

Amend Section 1 by changing the words "Six A" to "Seven" and the number "588½ qq" to the number "689" and amend section by striking all the first part of Section 2 up to the word "shall" where the same occurs the first time in the section and substitute therefor "Article 689—Penal Article. Any person who violates any provision of the preceding articles of this chapter."

The amendment was adopted.

Mr. Savage offered the following amendment to the bill:

Amend House bill No. 465, page 1, line 26, by inserting after the word "be" the following words: "fined not less than \$50 nor more than \$100 and be."

The amendment was adopted.

Mr. Jenkins offered the following amendments to the bill:

Amend House bill No. 465 by striking out the words "or by both such fine and confinement in jail," in lines 23 and 24, page 1.

The amendment was adopted.

Mr. Jenkins offered the following amendment to the bill:

Amend House bill No. 465 by striking out the word "or" in line 22, page 1, and insert in lieu thereof the word "and."

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 465 was then passed to engrossment by the following vote:

Yeas—68.

| | |
|--------------------|-----------------|
| Acker. | Land. |
| Adkins. | Mankin. |
| Albritton. | Martin. |
| Anderson. | Maynard. |
| Baker. | McCombs. |
| Beck. | McGill. |
| Bounds. | McKean. |
| Carpenter. | Mehl. |
| Chastain. | Moore. |
| Cox of Limestone. | Mullally. |
| DeWolfe. | Murphy. |
| Enderby. | Negley. |
| Ewing. | Nicholson. |
| Eickenroht. | Olsen. |
| Finlay. | O'Neill. |
| Fuchs. | Pavlica. |
| Gates. | Pool. |
| Gerron. | Pope of Jones. |
| Giles. | Pope of Nueces. |
| Harrison. | Quinn. |
| Hefley. | Reader. |
| Hines. | Renfro. |
| Hogg. | Richardson. |
| Hopkins. | Sanders. |
| Hubbard. | Savage. |
| Jenkins. | Sinks. |
| Johnson of Smith. | Smith. |
| Johnson of Scurry. | Strong. |
| Jones. | Thurmond. |
| Kayton. | Tillotson. |
| Keller. | Turner. |
| Kennedy. | Van Zandt. |
| Kenyon. | Veatch. |
| Kinnear. | Westbrook. |

Nays—56.

| | |
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| Ackerman. | Keeton. |
| Baldwin. | Kemble. |
| Barnett. | Kincaid. |
| Bradley. | King. |
| Brice. | Lemens. |
| Brooks. | Long of Houston. |
| Coltrin. | Long of Wichita. |
| Conway. | Loy. |
| Cox of Lamar. | Mauritz. |
| Davis. | Metcalf. |
| Finn. | Mosely. |
| Forbes. | Palmer. |
| Gilbert. | Patterson. |
| Graves | Purl. |
| of Williamson. | Reid. |
| Graves of Erath. | Rogers. |
| Hardy. | Rountree. |
| Harman. | Shaver. |
| Heaton. | Shelton. |
| Holder. | Sherrill. |
| Hornaday. | Shipman. |
| Johnson | Simmons. |
| of Dimmit. | Snelgrove. |

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| Speck. | Wiggs. |
| Stephens. | Williams |
| Storey. | of Sabine. |
| Tarwater. | Williams |
| Waddell. | of Travis. |
| Wallace. | Woodall. |
| Warwick. | Woodruff. |
| White. | Young. |

Absent.

| | |
|-----------------|--------------|
| Bateman. | McDonald. |
| Cox of Navarro. | Montgomery. |
| Dunlap. | Morse. |
| Duvall. | Prendergast. |
| Harding. | Ray. |
| Justiss. | Thompson. |

Absent—Excused.

| | |
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| Avis. | Stevenson. |
| Bond. | Walters. |
| Harper. | Webb. |
| Lee. | Williams |
| Minor. | of Hardin. |
| Petsch. | |

Reason for Vote.

I voted "yea" on House bill No. 465 in the hope that it would be possible under it to secure convictions for violation of the Dean law in the State courts. The report of the Attorney General dated October 1, 1928, shows that during the term reported there has not been a single conviction for violation of the liquor law in Dallas county. See page 86 of the report.

McCOMBS.

Mr. Albritton moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 153 ON FINAL PASSAGE.

Mr. Montgomery moved to reconsider the vote by which House bill No. 153 was finally passed.

The motion to reconsider prevailed.

Mr. Montgomery offered the following amendments to the bill:

(1)

Amend the caption of House bill No. 153 by inserting after the words "and all other corporations" and before the words "to be operated under the control, etc.," the words "in so far as the business of either comes within the purposes named above."

Signed — Montgomery, Williams of Travis.

(2)

Amend House bill No. 153 by striking out the following language of Section 3a, "or under Title 78, Chapter 18, Revised Statutes 1925, or any other law of this State."

Signed—Purl, Montgomery.

(3)

Amend House bill No. 153 by inserting in Section 3 after the words, "Chapter 18, Title 78, Revised Statutes 1925, or any other law," the following, "in-so-far as the business of either may be a title insurance business."

Signed—Purl, Montgomery.

The amendments were severally adopted.

House bill No. 153 was then finally passed by the following vote:

Yeas—107.

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| Mr. Speaker. | Johnson |
| Acker. | of Dimmit. |
| Ackerman. | Jones. |
| Anderson. | Keeton. |
| Baker. | Keller. |
| Barnett. | Kemble. |
| Bateman. | Kennedy. |
| Beck. | Kenyon. |
| Bounds. | Kincaid. |
| Bradley. | King. |
| Brice. | Kinnear. |
| Brooks. | Lemens. |
| Carpenter. | Long of Houston. |
| Chastain. | Long of Wichita. |
| Coltrin. | Loy. |
| Conway. | Mankin. |
| Cox of Lamar. | Martin. |
| Davis. | Mauritz. |
| DeWolfe. | McCombs. |
| Dunlap. | McGill. |
| Duvall. | McKean. |
| Enderby. | Mehl. |
| Ewing. | Metcalfe. |
| Eickenroht. | Montgomery. |
| Finn. | Morse. |
| Finlay. | Mullally. |
| Forbes. | Negley. |
| Gilbert. | O'Neill. |
| Graves | Palmer. |
| of Williamson. | Patterson. |
| Graves of Erath. | Pavlica. |
| Hardy. | Pool. |
| Harding. | Pope of Jones. |
| Heaton. | Pope of Nueces. |
| Hefley. | Purl. |
| Hines. | Quinn. |
| Hogg. | Ray. |
| Holder. | Reader. |
| Hopkins. | Reid. |
| Hornaday. | Renfro. |
| Hubbard. | Richardson. |
| Johnson of Smith. | Rogers. |

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| Sanders. | Tarwater. |
| Savage. | Tillotson. |
| Shaver. | Turner. |
| Shelton. | Veatch. |
| Sherrill. | Waddell. |
| Shipman. | Warwick. |
| Simmons. | Westbrook. |
| Sinks. | Williams |
| Smith. | of Sabine. |
| Snelgrove. | Williams |
| Speck. | of Travis. |
| Stephens. | Woodall. |
| Storey. | Woodruff. |
| Strong. | |

Nays—1.

Jenkins.

Present—Not Voting.

Albritton.
Harrison.

Wiggs.

Absent.

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| Adkins. | Maynard. |
| Baldwin. | McDonald. |
| Cox of Navarro. | Moore. |
| Cox of Limestone. | Mosely. |
| Fuchs. | Nicholson. |
| Gates. | Olsen. |
| Giles. | Prendergast. |
| Harman. | Rountree. |
| Johnson of Scurry. | Thompson. |
| Justiss. | Thurmond. |
| Kayton. | Van Zandt. |
| Land. | Young. |

Absent—Excused.

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| Avis. | Stevenson. |
| Bond. | Wallace. |
| Gerron. | Walters. |
| Harper. | Webb. |
| Lee. | White. |
| Minor. | Williams |
| Murphy. | of Hardin. |
| Petsch. | |

HOUSE BILL NO. 247 ON SECOND READING.

On motion of Mr. Woodall the regular order of business was suspended to take up and have placed on its second reading,

H. B. No. 247, A bill to be entitled "An Act making it a felony for any sheriff, constable, deputy constable, deputy sheriff, justice of the peace, chief of police, policeman, or other peace officer, to demand, receive or collect the whole or any part of the fine or costs in any misdemeanor case until after the affidavit or information has been filed and judgment of conviction rendered in such case, and prescribing the punishment therefor."

The bill having heretofore been read

second time, with amendment by Mr. Purl, pending.

Mr. Van Zandt raised a point of order on consideration of the amendment by Mr. Purl at this time, on the ground that the amendment is unconstitutional.

The Speaker sustained the point of order.

Mr. Woodall offered the following amendment to the bill:

Amend House bill No. 247, line 9, by inserting after the words "peace officer" and before the words "to demand" a comma and "or any other person posing as an officer"; and in line 18 after the words "peace officer" and before the words "to demand" a comma and "or any other person posing as an officer."

The amendment was adopted.

Mr. Woodall offered the following amendment to the bill:

Amend House bill No. 247, line 24, by striking out the word "or" and inserting in lieu thereof the word "nor." Also amend line 25 by changing the word "or" after "twenty-five dollars" to the word "nor."

The amendment was adopted.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 247 by adding the following after Section 1 to be known as "Section 1a," "provided nothing in this law shall prohibit the posting of cash bond with any clerk, officer of a municipal court or other municipal officer authorized to accept cash bonds by the charter and ordinances of such city and forfeiture of same without written complaint."

Signed—Purl, McCombs, Kemble.

The amendment was adopted.

Mr. Woodall offered the following amendments to the bill:

(1)

Amend House bill No. 247 by adding Section 1b, "provided, that if any part of this act shall be held invalid, it shall not affect any other provision."

(2)

Amend House bill No. 247 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled 'An Act making it a felony for any sheriff, constable, deputy sheriff, deputy constable, justice of the peace, county attorney, chief of police, policeman or other peace officer, or any other person posing as

an officer to demand, receive or collect the whole or any part of the fine, or costs, in any misdemeanor case until after the affidavit or information has been filed and judgment of conviction rendered in such case, and prescribing the punishment therefor; provided, that posting of cash bond as authorized by municipal officers shall not be prohibited; providing that if any part of this act shall be held invalid it shall not affect any other provision; prescribing a penalty, and declaring an emergency." The amendments were severally adopted.

House bill No. 247 was then passed to engrossment.

HOUSE BILL NO. 247 ON THIRD READING.

Mr. Woodall moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

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|-------------------|--------------------|
| Mr. Speaker. | Harding. |
| Acker. | Heaton. |
| Ackerman. | Hefley. |
| Albritton. | Hines. |
| Anderson. | Hogg. |
| Baker. | Holder. |
| Barnett. | Hopkins. |
| Bateman. | Hornaday. |
| Beck. | Hubbard. |
| Bounds. | Jenkins. |
| Bradley. | Johnson |
| Brice. | of Dimmit. |
| Brooks. | Johnson of Smith. |
| Carpenter. | Johnson of Scurry. |
| Chastain. | Jones. |
| Coltrin. | Justiss. |
| Conway. | Kayton. |
| Cox of Navarro. | Keeton. |
| Cox of Lamar. | Keller. |
| Cox of Limestone. | Kemble. |
| Davis. | Kennedy. |
| DeWolfe. | Kenyon. |
| Dunlap. | King. |
| Duvall. | Land. |
| Enderby. | Lemens. |
| Ewing. | Long of Houston. |
| Eickenroht. | Long of Wichita. |
| Finn. | Mauritz. |
| Finlay. | McGill. |
| Forbes. | McKean. |
| Gates. | Mehl. |
| Gilbert. | Metcalfe. |
| Graves | Moore. |
| of Williamson. | Morse. |
| Graves of Erath. | Mullally. |
| Hardy. | Negley. |

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| O'Neill. | Sinks. |
| Palmer. | Smith. |
| Patterson. | Snelgrove. |
| Pavlica. | Speck. |
| Petsch. | Stephens. |
| Pool. | Storey. |
| Pope of Jones. | Strong. |
| Quinn. | Tarwater. |
| Ray. | Turner. |
| Reader. | Veatch. |
| Reid. | Waddell. |
| Renfro. | Wallace. |
| Rogers. | Warwick. |
| Sanders. | Westbrook. |
| Savage. | Williams |
| Shaver. | of Sabine. |
| Shelton. | Williams |
| Sherrill. | of Travis. |
| Shipman. | Woodall. |
| Simmons. | Woodruff. |

Present—Not Voting.

Harrison.

Absent.

| | |
|-------------|-----------------|
| Adkins. | Mosely. |
| Baldwin. | Nicholson. |
| Fuchs. | Olsen. |
| Gerron. | Pope of Nueces. |
| Giles. | Prendergast. |
| Harman. | Purl. |
| Kincaid. | Richardson. |
| Kinnear. | Rountree. |
| Loy. | Thompson. |
| Mankin. | Thurmond. |
| Martin. | Tillotson. |
| Maynard. | Van Zandt. |
| McCombs. | White. |
| McDonald. | Young. |
| Montgomery. | |

Absent—Excused.

| | |
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| Avis. | Stevenson. |
| Bond. | Walters. |
| Harper. | Webb. |
| Lee. | Wiggs. |
| Minor. | Williams |
| Murphy. | of Hardin. |

The Speaker then laid House bill No. 247 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110.

| | |
|--------------|------------|
| Mr. Speaker. | Bond. |
| Acker. | Bounds. |
| Ackerman. | Bradley. |
| Albritton. | Brice. |
| Anderson. | Brooks. |
| Baker. | Carpenter. |
| Barnett. | Chastain. |
| Bateman. | Coltrin. |
| Beck. | Conway. |

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| Cox of Navarro. | Mehl. |
| Cox of Lamar. | Metcalfe. |
| Cox of Limestone. | Moore. |
| Davis. | Morse. |
| DeWolfe. | Mullally. |
| Dunlap. | Negley. |
| Enderby. | O'Neill. |
| Ewing. | Palmer. |
| Eickenroht. | Patterson. |
| Finn. | Pavlica. |
| Finlay. | Petsch. |
| Forbes. | Pope of Jones. |
| Gates. | Pope of Nueces. |
| Gilbert. | Purl. |
| Graves | Ray. |
| of Williamson. | Reader. |
| Graves of Erath. | Reid. |
| Hardy. | Renfro. |
| Harding. | Rogers. |
| Heaton. | Sanders. |
| Hefley. | Savage. |
| Hines. | Shaver. |
| Hogg. | Shelton. |
| Holder. | Sherrill. |
| Hopkins. | Shipman. |
| Hornaday. | Simmons. |
| Hubbard. | Sinks. |
| Johnson | Smith. |
| of Dimmit. | Snelgrove. |
| Johnson of Smith. | Speck. |
| Johnson of Scurry. | Stephens. |
| Jones. | Storey. |
| Justiss. | Strong. |
| Kayton. | Tarwater. |
| Keeton. | Tillotson. |
| Keller. | Turner. |
| Kemble. | Van Zandt. |
| Kennedy. | Veatch. |
| Kenyon. | Waddell. |
| Kincaid. | Wallace. |
| King. | Warwick. |
| Land. | Westbrook. |
| Lemens. | Williams |
| Long of Houston. | of Sabine. |
| Long of Wichita. | Williams |
| Mauritz. | of Travis. |
| McCombs. | Woodall. |
| McGill. | Woodruff. |
| McKean. | |

Present—Not Voting.

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|-----------|--------|
| Harrison. | Wiggs. |
|-----------|--------|

Absent.

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| Adkins. | Martin. |
| Baldwin. | Maynard. |
| Duval. | McDonald. |
| Fuchs. | Montgomery. |
| Gerron. | Mosely. |
| Giles. | Nicholson. |
| Harman. | Olsen. |
| Jenkins. | Pool. |
| Kinnear. | Prendergast. |
| Loy. | Quinn. |
| Mankin. | Richardson. |

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| Rountree. | White. |
| Thompson. | Young. |
| Thurmond. | |

Absent—Excused.

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| Avis. | Stevenson. |
| Harper. | Walters. |
| Lee. | Webb. |
| Minor. | Williams |
| Murphy. | of Hardin. |

COMMUNICATION IN REGARD TO HOUSE BILL NO. 498.

On motion of Mr. Justiss, the following communication was ordered printed in the Journal:

Chamber of Commerce,
Corsicana, Texas.

February 25, 1929.

Hon. A. N. Justiss, State Representative,
Austin, Texas.

Dear Mr. Justiss: It has come to our attention that there is some danger of the tick eradication law, House bill No. 498, being lost in the pressure of the closing of the session. We understand the Senate passed this bill as Senate bill No. 366 without amendment.

Navarro county is practically clean of ticks, and this has been done at considerable expense to the stockmen and taxpayers in general, and the best way to protect our investment and the cattle industry is to continue our fight against the ticks until the entire State has been cleaned up. There isn't a doubt about the merit of this work, and nothing could happen that would do more damage to the growth of the dairy industry, which looks so encouraging at present, than to allow ticks to be brought back into our county from those sections not yet free.

We are sure that we are expressing the sentiment of everyone interested in the cattle industry in the county when we urge that you use your influence to have this bill called up and passed with sufficient appropriation to effectively enforce it.

Assuring you of our sincere appreciation for your work in the Legislature, we are

Cordially yours,
W. ROY CHRISTIAN, Manager.

RECESS.

On motion of Mr. Barnett, the House at 12:20 o'clock p. m., took recess to 2:00 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 389, "An Act creating a more efficient road system for Motley county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Motley county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes," etc.

S. B. No. 305, "An Act amending Article 6286, Chapter 2, Title 112, Revised Civil Statutes of the State of Texas, 1925, so as to change the provision of said article relating to the subject of change of general offices, machine shops, roundhouses, so as to include terminals."

S. B. No. 54, "An Act to amend Article 2963 of Chapter 5, Title 50, of the Revised Civil Statutes of 1925, so as to allow the mailing of poll tax receipts in certain cases, and providing for the mailing of poll tax receipts to persons in cities of 10,000 inhabitants and more where the poll tax payer pays his property and poll tax by check or money order."

S. B. No. 81, "An Act protecting State banks and National banks and banking institutions doing business in this State in the payment of funds in a joint deposit to the survivor when the deposit is made by one of the depositors in form to be paid to either of them or the survivor; and providing regulations in reference to such deposits; and declaring an emergency."

S. B. No. 296, "An Act to provide that in the event there should be awarded to the State of Texas by the final decree

of the United States Supreme Court at Washington, D. C., in its final judgment in the suit of the State of Oklahoma against the State of Texas, the United States, intervenor, any area of land along the 100th degree west longitude adjacent to the east side of the Panhandle of Texas and the west side of the State of Oklahoma, such area shall, on the happening of that event, be and become a portion, part and parcel of and incorporated into the several counties of the State of Texas adjacent thereto for all governmental purposes by the extension of the north and south boundary lines of same east to the true 100th degree of west longitude as may be fixed by said court; to withhold said area for final disposition by future legislation; to provide for the ascertainment of the character of the land and improvements thereon and the kind and character and status of all claims of right and title thereto; to provide for one claiming a right therein to proceed to establish such right; and declaring an emergency."

RELATING TO BOUNDARY LINE BETWEEN TEXAS AND OKLAHOMA.

Mr. Wallace moved to reconsider the vote by which Senate concurrent resolution No. 19, relating to the boundary line between Texas and Oklahoma, was finally passed.

The motion to reconsider prevailed.

Mr. Wallace offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 19 by striking out all after the words, "Resolved by the Senate and House of Representatives of the Forty-first Legislature of the State of Texas," and insert in lieu thereof the following, "that the President of the Senate and Speaker of the House be authorized to appoint a committee of six members of the Senate, one of whom shall be the Lieutenant Governor or President pro tem. of the Senate, and ten members of the House, one of whom shall be the Speaker of the House, as a joint committee to confer with a like committee to be appointed by the Legislature of the State of Oklahoma, which said committees are hereby authorized and directed at as early date as practicable to investigate the matter hereinabove involved and, if necessary, to view the land for the purpose of trying to adjust the matter and make such recommendations back to the Legislature of the State of Texas with reference to a final disposition of the matter as said committee may deem in their judgment

wise and proper for the best interests in the premises; be it further

"Resolved, That all necessary expenses incurred by the committee in visiting the territory shall be paid out of the contingent legislative fund of the State of Texas on claims properly approved by the presiding officer of the respective houses."

The amendment was adopted.

Question then recurring on the resolution as amended, it was adopted.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 35.

Mr. Harman called up for consideration at this time the following conference committee report on Senate bill No. 35:

Committee Room,

Austin, Texas, February 22, 1929.

Hon. Barry Miller, President of the Senate, and Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: We, your free conference committee appointed by your respective bodies to consider the amendments of the House to Senate bill No. 35, have had same under consideration and have adjusted differences, and beg to report thereon as follows:

The amendments adopted by the House are all retained and the following inserted:

After the word "State" in line 17, insert the following, "or when any person is an habitual drunkard or an addict to cocaine, morphine or other narcotics."

Insert at the end of line 18 the following, "under the age of 17 years."

After the word "child" in line 21 insert the following, "habitual drunkard or narcotic addict."

After the word "child" in line 23 insert the following, "habitual drunkard or narcotic addict."

After the word "of" in line 25, insert the following, "any."

After the word "child" in line 25, insert the following, "under the age of 17 years, or habitual drunkard or narcotic addict."

In line 29 after the word "child" insert the following, "habitual drunkard or narcotic addict."

In line 39 after the word "will," insert the following, "or who by undue influence cause such habitual drunkard or narcotic addict to unlawfully cohabit with any person known to them to be an habitual drunkard or narcotic addict."

And by amending the caption accordingly.

Respectfully submitted,
HARMAN,
STEVENSON,
LAND,
HARRISON,
CHASTAIN,

On the part of the House.

WOODWARD,
MILLER,
LOVE,
WOODUL,
STEVENSON,

On the part of the Senate.

On motion of Mr. Harman, the report was adopted by the following vote:

Yeas—103.

| | |
|--------------------|------------------|
| Mr. Speaker. | Kennedy. |
| Acker. | Kenyon. |
| Ackerman. | Kincaid. |
| Adkins. | King. |
| Albritton. | Kinnear. |
| Baker. | Land. |
| Bateman. | Lemens. |
| Beck. | Long of Houston. |
| Bounds. | Long of Wichita. |
| Bradley. | Loy. |
| Brice. | Mankin. |
| Brooks. | Mauritz. |
| Carpenter. | Maynard. |
| Coltrin. | McGill. |
| Conway. | McKean. |
| Cox of Navarro. | Metcalfe. |
| Cox of Lamar. | Montgomery. |
| Cox of Limestone. | Moore. |
| Davis. | Mosely. |
| DeWolfe. | Mullally. |
| Duvall. | Negley. |
| Enderby. | Olsen. |
| Ewing. | Palmer. |
| Finn. | Patterson. |
| Finlay. | Pope of Jones. |
| Forbes. | Pope of Nueces. |
| Fuchs. | Reid. |
| Gilbert. | Renfro. |
| Graves | Richardson. |
| of Williamson. | Rogers. |
| Harding. | Rountree. |
| Harman. | Savage. |
| Harrison. | Shaver. |
| Heaton. | Shelton. |
| Hines. | Sherrill. |
| Holder. | Shipman. |
| Hopkins. | Simmons. |
| Jenkins. | Sinks. |
| Johnson | Smith. |
| of Dimmit. | Snelgrove. |
| Johnson of Smith. | Speck. |
| Johnson of Scurry. | Stephens. |
| Jones. | Storey. |
| Justiss. | Tarwater. |
| Kayton. | Thurmond. |
| Kemble. | Tillotson. |

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| Turner. | White. |
| Van Zandt. | Wiggs. |
| Veatch. | Williams |
| Waddell. | of Sabine. |
| Wallace. | Woodall. |
| Warwick. | Woodruff. |
| Westbrook. | Young. |

Nays—6.

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| Barnett. | Gerron. |
| Eickenroht. | Murphy. |
| Gates. | Purl. |

Present—Not Voting.

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| Anderson. | Ray. |
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Absent.

| | |
|------------------|--------------|
| Baldwin. | Morse. |
| Dunlap. | Nicholson. |
| Giles. | O'Neill. |
| Graves of Erath. | Pavlica. |
| Hardy. | Pool. |
| Hefley. | Prendergast. |
| Hogg. | Quinn. |
| Hubbard. | Reader. |
| Keeton. | Sanders. |
| Keller. | Strong. |
| Martin. | Thompson. |
| McCombs. | Williams |
| McDonald. | of Travis. |
| Mehl. | |

Absent—Excused.

| | |
|-----------|------------|
| Avis. | Petsch. |
| Bond. | Stevenson. |
| Chastain. | Walters. |
| Harper. | Webb. |
| Hornaday. | Williams |
| Lee. | of Hardin. |
| Minor. | |

HOUSE BILL NO. 489 ON SECOND READING.

On motion of Mr. Gates, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 489, A bill to be entitled "An Act to clarify and make adequate the law regulating water control and improvement districts, and to cause the same to comport with Section 59 of Article 16, of the Constitution of Texas."

The Speaker laid the bill before the House and it was read second time.

Mr. Montgomery offered the following amendments to the bill:

(1)

Amend House bill No. 489, page 15, between lines 18 and 19, by adding the following:

(a) It is specifically provided that

nothing contained in this section or in Section 130 of this act shall alter, or impair the right of a district to make, establish and collect maintenance and operation charges for the service they render, and to levy and collect taxes to secure funds to maintain, repair and operate all works and facilities, and to give and maintain proper service for the purposes of its organization, as is provided for in Sections 106, 107, 108, 109, 110 and 111 of said Chapter 25.

(b) All taxes, or charges, or assessments, imposed by a district, as provided for by Sections 106, 107, 108 and 109 of said Chapter 25, for the maintenance and operation of works, facilities and services of such district, shall be and constitute a lien against the lands as to which such taxes, or charges, or assessments, have been established; and, no law applying to a limitation against action for debt shall apply thereto; same shall not be barred by limitation.

(2)

Amend House bill No. 489, page 34, between lines 33 and 34, by adding the following:

(a) It is specifically provided that nothing in this section contained shall empower a district operating under this act to condemn any land, property, easement or facility owned, held or used by another person (as defined in Section 1 of this act) when such lands, property, easements and facilities are necessary to such person for the purpose of accomplishing any one or more of the objects authorized by Section 2 of this act.

(3)

Amend House bill 489, page 21, lines 4 and 5, by striking out after the figures "25," the following, "save and except as to districts operating under contract with the United States."

The amendments were severally adopted.

House bill No. 489 was then passed to engrossment.

HOUSE BILL NO. 489 ON THIRD READING.

Mr. Tillotson moved that the constitutional rule requiring bills be read on three several days be suspended and that House bill No. 489 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

| | |
|--------------------|------------------|
| Mr. Speaker. | Long of Wichita. |
| Acker. | Loy. |
| Adkins. | Mauritz. |
| Albritton. | Maynard. |
| Anderson. | McCombs. |
| Baker. | McGill. |
| Barnett. | McKean. |
| Bateman. | Metcalf. |
| Beck. | Montgomery. |
| Bounds. | Moore. |
| Bradley. | Mullally. |
| Brooks. | Murphy. |
| Carpenter. | Negley. |
| Coltrin. | Olsen. |
| Conway. | O'Neill. |
| Cox of Navarro. | Palmer. |
| Cox of Limestone. | Patterson. |
| Davis. | Pavlica. |
| DeWolfe. | Pool. |
| Dunlap. | Pope of Jones. |
| Duvall. | Purl. |
| Enderby. | Ray. |
| Ewing. | Reader. |
| Finn. | Renfro. |
| Finlay. | Richardson. |
| Forbes. | Rogers. |
| Fuchs. | Rountree. |
| Gates. | Sanders. |
| Gerron. | Savage. |
| Giles. | Shelton. |
| Graves | Sherrill. |
| of Williamson. | Shipman. |
| Graves of Erath. | Simmons. |
| Hardy. | Smith. |
| Harding. | Snelgrove. |
| Harman. | Speck. |
| Harrison. | Stephens. |
| Heaton. | Strong. |
| Hefley. | Thurmond. |
| Hines. | Tillotson. |
| Holder. | Turner. |
| Hornaday. | Van Zandt. |
| Jenkins. | Veatch. |
| Johnson | Waddell. |
| of Dimmit. | Wallace. |
| Johnson of Smith. | Warwick. |
| Johnson of Scurry. | Westbrook. |
| Justiss. | White. |
| Kayton. | Wiggs. |
| Kemble. | Williams |
| Kenyon. | of Sabine. |
| Kincaid. | Williams |
| Kinnear. | of Travis. |
| Land. | Woodall. |
| Lemens. | Woodruff. |
| Long of Houston. | |

Nays—5.

| | |
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| Eickenroht. | King. |
| Gilbert. | Reid. |
| Kennedy. | |

Present—Not Voting.

Brice.

Absent.

| | |
|---------------|-----------------|
| Ackerman. | Mehl. |
| Baldwin. | Morse. |
| Bond. | Mosely. |
| Chastain. | Nicholson. |
| Cox of Lamar. | Pope of Nueces. |
| Hogg. | Prendergast. |
| Hopkins. | Quinn. |
| Hubbard. | Shaver. |
| Jones. | Sinks. |
| Keeton. | Storey. |
| Keller. | Tarwater. |
| Mankin. | Thompson. |
| Martin. | Young. |
| McDonald. | |

Absent—Excused.

| | |
|---------|------------|
| Avis. | Stevenson. |
| Harper. | Walters. |
| Lee. | Webb. |
| Minor. | Williams |
| Petsch. | of Hardin. |

The Speaker then laid House bill No. 489 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

| | |
|-------------------|--------------------|
| Mr. Speaker. | Graves of Erath. |
| Acker. | Hardy. |
| Adkins. | Harding. |
| Albritton. | Harman. |
| Anderson. | Harrison. |
| Baker. | Heaton. |
| Barnett. | Hefley. |
| Bateman. | Hines. |
| Beck. | Holder. |
| Bounds. | Hornaday. |
| Bradley. | Jenkins. |
| Brooks. | Johnson |
| Carpenter. | of Dimmit. |
| Coltrin. | Johnson of Smith. |
| Conway. | Johnson of Scurry. |
| Cox of Navarro. | Justiss. |
| Cox of Lamar. | Kayton. |
| Cox of Limestone. | Kennedy. |
| Davis. | Kenyon. |
| DeWolfe. | Kincaid. |
| Dunlap. | Kinnear. |
| Duvall. | Land. |
| Enderby. | Lemens. |
| Ewing. | Long of Wichita. |
| Eickenroht. | Loy. |
| Finn. | Mauritz. |
| Finlay. | McCombs. |
| Forbes. | McGill. |
| Fuchs. | McKean. |
| Gates. | Metcalf. |
| Gerron. | Montgomery. |
| Gilbert. | Moore. |
| Giles. | Mullally. |
| Graves | Murphy. |
| of Williamson. | Negley. |

| | |
|-----------------|------------|
| Olsen. | Snelgrove. |
| Palmer. | Speck. |
| Patterson. | Stephens. |
| Pool. | Storey. |
| Pope of Jones. | Strong. |
| Pope of Nueces. | Tarwater. |
| Purl. | Tillotson. |
| Ray. | Turner. |
| Reader. | Van Zandt. |
| Renfro. | Veatch. |
| Richardson. | Waddell. |
| Rogers. | Wallace. |
| Rountree. | Warwick. |
| Sanders. | Westbrook. |
| Savage. | White. |
| Shelton. | Williams |
| Shipman. | of Sabine. |
| Simmons. | Woodall. |
| Sinks. | Woodruff. |
| Smith. | |

Nays—2.

King. Reid.

Present—Not Voting.

Brice. Sherrill.
Maynard.

Absent.

| | |
|------------------|--------------|
| Ackerman. | Mehl. |
| Baldwin. | Morse. |
| Bond. | Mosely. |
| Chastain. | Nicholson. |
| Hogg. | O'Neill. |
| Hopkins. | Pavlica. |
| Hubbard. | Prendergast. |
| Jones. | Quinn. |
| Keeton. | Shaver. |
| Keller. | Thompson. |
| Kemble. | Thurmond. |
| Long of Houston. | Wiggs. |
| Mankin. | Williams |
| Martin. | of Travis. |
| McDonald. | Young. |

Absent—Excused.

| | |
|---------|------------|
| Avis. | Stevenson. |
| Harper. | Walters. |
| Lee. | Webb. |
| Minor. | Williams |
| Petsch. | of Hardin. |

HOUSE BILL NO. 474 ON SECOND
READING.

On motion of Mr. Veatch the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 474, A bill to be entitled "An Act requiring every person, association or corporation, whether operating for charity or revenue, who shall own, conduct or manage a day nursery, children's boarding home or child-plac-

ing agency or other place for the care or custody of children under fifteen years of age, or who shall solicit funds in this State for such place or institution, to obtain an annual license from the State Board of Health, which license shall be issued without fee and under such rules and regulations as said board shall prescribe, requiring every such place or institution who shall place out or give to any person the care or custody of any such child, to keep and preserve a record of the full name, the actual or apparent age, and names and residence of the parents of such child so far as known, and the name and residence of the person with whom such child is placed."

The Speaker laid the bill before the House and it was read second time.

Mr. Bradley offered the following amendment to the bill:

Amend House bill No. 474 by striking out all below and above the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act requiring every person, association or corporation, whether operating for charity or revenue, who shall own, conduct or manage a day nursery, children's boarding home or child-placing agency, or other place for the care or custody of children under fifteen years of age, or who shall solicit funds in this State for such place or institution, to obtain an annual license from the State Board of Health, which license shall be issued without fee, and under such reasonable and uniform rules and regulations as said board shall prescribe. Providing for inspection of such places or institutions. Requiring every such place or institution which shall place out or give to any person the care or custody of any such child, to keep and preserve a record of the full name, the actual or apparent age, and names and residence of the parents of such child so far as known, and the name and residence of the person with whom such child is placed; and if the child is removed from the care or custody of the person with whom it was placed the fact of such removal and disposition of the child to be entered on the record. Requiring such person, association or corporation, to report to the State Board of Health quarterly and at such times as said board shall direct, specifying the things required in the aforesaid record. Providing the State Board of Health may visit any child who has been so

placed and not legally adopted to ascertain whether the child is properly cared for and living in moral surroundings. Providing that if the said board has reason to believe that the person having the care or custody of such child is an improper person for such care or custody, and subjects such child to cruel treatment or neglect or immoral surroundings it shall cause a complaint to be filed in the proper juvenile court. Providing that any person, association or corporation who shall attempt to operate without a license as herein provided, or who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail not more 30 days or by a fine of not less than \$25 nor more than \$500 and if operating under license, for revocation of same. Repealing all laws and parts of laws in conflict herewith except certain provisions of the Maternity Act of the Thirty-seventh Legislature, approved March 24, 1921. Providing that if any provision of this act shall be held to be invalid that all other provisions of this act shall remain in force and effect, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Every person, association or corporation, whether operating for charity or revenue, who shall own, conduct or manage a day nursery, children's boarding home, or child-placing agency, or other place for the care or custody of children under fifteen years of age, or who shall solicit funds in this State for any such place or institution, shall obtain an annual license from the State Board of Health, which license shall be issued without fee, and under such reasonable uniform rules and regulations as said board shall prescribe.

Sec. 2. The State Board of Health shall have authority to visit and inspect all such places and institutions embraced within this act at all reasonable times to ascertain if the same are being conducted in conformity with law or if any conditions exist which need correction.

Sec. 3. Any person, association or corporation, licensed to keep and care for children, as provided in Section 1 of this act, who shall place out or give to any person the care and custody of any child, shall keep and preserve a record of the full name of such child, the actual or apparent age of such child,

the names and residence of its parents so far as known, and name and residence of the person with whom such child is placed; and if the child is removed from the care or custody of the person with whom it was placed the fact of such removal and the disposition of such child shall be entered on the record.

Sec. 4. Such person, association or corporation, shall report to the State Board of Health quarterly and at such times as said board shall direct, specifying the matters and things required in the record mentioned in the next preceding section.

Sec. 5. The State Board of Health, or such person as it may authorize, may visit any child so placed, who has not been legally adopted, with a view to ascertaining whether such child is being properly cared for and living in moral surroundings.

Sec. 6. Whenever the State Department of Health has reason to believe that any person having the care or custody of a child placed out and not legally adopted, is an improper person for such care or custody, or subject such child to cruel treatment, or neglect, or immoral surroundings, it shall cause complaint to be filed in the proper juvenile court.

Sec. 7. Any person, association or corporation, who shall attempt to operate without a license as herein provided, or who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail not more than 30 days or by a fine of not less than \$25 nor more than \$500; and if operating under a license such license may be revoked by the State Board of Health.

Sec. 8. All laws and parts of laws in conflict herewith are hereby expressly repealed, except the provisions of Senate bill No. 215, Chapter 76, General Laws of the Regular Session of the Thirty-seventh Legislature, approved March 24, 1921, in so far as the same apply or relate to lying-in hospitals, hospital wards, maternity homes, or other place for the reception, care and treatment of pregnant women which are not affected by the provisions of this act.

Sec. 9. If any provision of this act shall be held to be invalid, it is hereby declared to be the intention of the Legislature that all other provisions of this act shall remain in force and effect.

Sec. 10. The urgent need for more adequate protection of the children and the public in this State, and the importance of this legislation, create an emergency and a public necessity requiring that the constitutional rule providing that bills shall be read on three several days in each house, shall be suspended, and said rule is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted.

Mr. Bradley offered the following amendment to the amendment:

Amend House bill No. 474 by adding immediately after Section 1 the following, "provided that if said funds are solicited by said associations or corporations through any agent or agents thereof, only one such license shall be required by each said association or corporation for each county of the State of Texas in which county said funds are solicited."

The amendment was adopted.

The amendment as amended was then adopted.

House bill No. 474 was then passed to engrossment.

HOUSE BILL NO. 474 ON THIRD READING.

Mr. Bradley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 474 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

| | |
|-------------------|--------------------|
| Mr. Speaker. | Finlay. |
| Acker. | Forbes. |
| Adkins. | Fuchs. |
| Albritton. | Gates. |
| Anderson. | Gerron. |
| Baker. | Gilbert. |
| Barnett. | Giles. |
| Bateman. | Graves of Erath. |
| Beck. | Hardy. |
| Bounds. | Harding. |
| Bradley. | Harman. |
| Brice. | Harrison. |
| Brooks. | Hefley. |
| Coltrin. | Hines. |
| Conway. | Hogg. |
| Cox of Navarro. | Holder. |
| Cox of Lamar. | Hornaday. |
| Cox of Limestone. | Hubbard. |
| DeWolfe. | Jenkins. |
| Duval. | Johnson |
| Enderby. | of Dimmit. |
| Ewing. | Johnson of Smith. |
| Finn. | Johnson of Scurry. |

| | |
|------------------|-------------|
| Jones. | Reader. |
| Justiss. | Reid. |
| Kayton. | Renfro. |
| Kemble. | Richardson. |
| Kennedy. | Rogers. |
| Kenyon. | Sanders. |
| Kincaid. | Savage. |
| King. | Shelton. |
| Kinnear. | Sherrill. |
| Lemens. | Shipman. |
| Long of Wichita. | Simmons. |
| Loy. | Sinks. |
| Maynard. | Snelgrove. |
| McGill. | Stephens. |
| Mehl. | Strong. |
| Metcalf. | Tarwater. |
| Moore. | Thurmond. |
| Morse. | Tillotson. |
| Mosely. | Turner. |
| Mullally. | Van Zandt. |
| Murphy. | Veatch. |
| Negley. | Waddell. |
| Olsen. | Wallace. |
| O'Neill. | Warwick. |
| Palmer. | Westbrook. |
| Patterson. | White. |
| Pavlica. | Wiggs. |
| Pool. | Williams |
| Pope of Jones. | of Sabine. |
| Prendergast. | Woodall. |
| Purl. | Woodruff. |
| Ray. | Young. |

Present—Not Voting.

Eickenroht.

Absent.

| | |
|------------------|-----------------|
| Ackerman. | McCombs. |
| Baldwin. | McDonald. |
| Carpenter. | McKean. |
| Chastain. | Montgomery. |
| Davis. | Nicholson. |
| Dunlap. | Pope of Nueces. |
| Heaton. | Quinn. |
| Hopkins. | Rountree. |
| Keeton. | Shaver. |
| Keller. | Smith. |
| Land. | Speck. |
| Long of Houston. | Storey. |
| Mankin. | Thompson. |
| Martin. | Williams |
| Mauritz. | of Travis. |

Absent—Excused.

| | |
|----------------|------------|
| Avis. | Petsch. |
| Bond. | Stevenson. |
| Graves | Walters. |
| of Williamson. | Webb. |
| Harper. | Williams |
| Lee. | of Hardin. |
| Minor. | |

The Speaker then laid House bill No. 474 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

| | |
|--------------------|------------------|
| Mr. Speaker. | Land. |
| Acker. | Lemens. |
| Ackerman. | Long of Wichita. |
| Adkins. | Loy. |
| Albritton. | Maynard. |
| Anderson. | McCombs. |
| Baker. | McGill. |
| Barnett. | Metcalfe. |
| Bateman. | Moore. |
| Beck. | Morse. |
| Bounds. | Mosely. |
| Bradley. | Mullally. |
| Brooks. | Murphy. |
| Carpenter. | Negley. |
| Chastain. | Olsen. |
| Coltrin. | O'Neill. |
| Cox of Navarro. | Palmer. |
| Cox of Lamar. | Patterson. |
| Cox of Limestone. | Pavlica. |
| DeWolfe. | Pool. |
| Duvall. | Pope of Jones. |
| Enderby. | Prendergast. |
| Ewing. | Purl. |
| Finn. | Ray. |
| Finlay. | Reader. |
| Forbes. | Reid. |
| Fuchs. | Richardson. |
| Gates. | Rogers. |
| Gerron. | Rountree. |
| Gilbert. | Sanders. |
| Giles. | Savage. |
| Graves | Shelton. |
| of Williamson. | Sherrill. |
| Graves of Erath. | Shipman. |
| Harding. | Simmons. |
| Harrison. | Sinks. |
| Hefley. | Snelgrove. |
| Hines. | Stephens. |
| Holder. | Storey. |
| Hopkins. | Strong. |
| Hornaday. | Tarwater. |
| Hubbard. | Thurmond. |
| Jenkins. | Turner. |
| Johnson | Van Zandt. |
| of Dimmit. | Veatch. |
| Johnson of Smith. | Waddell. |
| Johnson of Scurry. | Wallace. |
| Justiss. | Warwick. |
| Kayton. | Westbrook. |
| Kemble. | White. |
| Kennedy. | Wiggs. |
| Kenyon. | Williams |
| Kincaid. | of Sabine. |
| King. | Woodall. |
| Kinnear. | Woodruff. |

Nays—1.

Jones.

Present—Not Voting.

| | |
|-------------|---------|
| Brice. | Heaton. |
| Eickenroht. | |

Absent.

| | |
|----------|---------|
| Baldwin. | Conway. |
|----------|---------|

| | |
|------------------|-----------------|
| Davis. | Montgomery. |
| Dunlap. | Nicholson. |
| Hardy. | Petsch. |
| Harman. | Pope of Nueces. |
| Hogg. | Quinn. |
| Keeton. | Renfro. |
| Keller. | Shaver. |
| Long of Houston. | Smith. |
| Mankin. | Speck. |
| Martin. | Thompson. |
| Mauritz. | Tillotson. |
| McDonald. | Williams |
| McKean. | of Travis. |
| Mehl. | Young. |

Absent—Excused.

| | |
|---------|------------|
| Avis. | Stevenson. |
| Bond. | Walters. |
| Harper. | Webb. |
| Lee. | Williams |
| Minor. | of Hardin. |

HOUSE BILL NO. 647 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 647, A bill to be entitled "An Act defining unfair discrimination and prohibiting any person, firm, company, association or corporation engaged in the production, manufacture, sale or distribution of any commodity in general use in this State from discriminating between different sections, communities, incorporated cities or towns of this State for the purpose of destroying the business of a competitor in any locality, or for the purpose of fixing, maintaining, increasing or reducing the price of such commodity by selling or distributing such commodity or permitting the sale or distribution of such commodity as a different grade or price in one section, community, incorporated city or town than is charged or permitted to be charged for said commodity by said party in another section, community, incorporated city or town, after making due allowance for the difference, if any, in the grade or quality, in the actual and necessary cost of transportation paid by the seller or distributor on said commodity and the reasonably necessary difference, if any, in the cost of marketing said commodity."

The bill was read second time.

(Pending consideration of the bill, Mr. Martin occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Westbrook offered the following amendment to the bill:

Amend House bill No. 647, Section 1, by striking out all between the word "locality" on page 2, in line 9, and the word "discriminate" in line 10 of the same section and page.

Mr. Wallace moved to table the amendment by Mr. Westbrook.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—56.

| | |
|--------------------|--------------|
| Acker. | McKean. |
| Adkins. | Minor. |
| Baker. | Mosely. |
| Bond. | Murphy. |
| Brice. | Olsen. |
| Carpenter. | Palmer. |
| Chastain. | Petsch. |
| Coltrin. | Prendergast. |
| Enderby. | Quinn. |
| Forbes. | Reader. |
| Fuchs. | Reid. |
| Gilbert. | Renfro. |
| Graves | Richardson. |
| of Williamson. | Shelton. |
| Graves of Erath. | Simmons. |
| Heaton. | Sinks. |
| Hines. | Stephens. |
| Hornaday. | Strong. |
| Hubbard. | Tarwater. |
| Johnson | Thurmond. |
| of Dimmit. | Tillotson. |
| Johnson of Scurry. | Veatch. |
| Justiss. | Waddell. |
| Keeton. | Wallace. |
| Kennedy. | Williams |
| Kincaid. | of Travis. |
| Land. | Woodall. |
| Loy. | Woodruff. |
| Martin. | Young. |
| Mauritz. | |

Nays—62.

| | |
|-------------------|-------------------|
| Ackerman. | Harman. |
| Baldwin. | Kinnear. |
| Barnett. | Lemens. |
| Bateman. | Long of Wichita. |
| Beck. | Mankin. |
| Bounds. | Maynard. |
| Bradley. | McCombs. |
| Brooks. | McGill. |
| Cox of Navarro. | Metcalfe. |
| Cox of Lamar. | Montgomery. |
| Cox of Limestone. | Moore. |
| Davis. | Morse. |
| Duvall. | Harrison. |
| Eickenroht. | Hefley. |
| Finn. | Hogg. |
| Finlay. | Hopkins. |
| Gates. | Johnson of Smith. |
| Gerron. | Kayton. |
| Giles. | Keller. |
| Hardy. | Kemble. |
| Harding. | Mullally. |

O'Neill.
Pavlica.
Pool.
Pope of Jones.
Purl.
Ray.
Rountree.
Sanders.
Savage.
Shaver.
Sherrill.

Shipman.
Snelgrove.
Speck.
Storey.
Van Zandt.
Warwick.
Westbrook.
White.
Williams
of Sabine.

Present—Not Voting.

Jones.

Rogers.

Absent.

| | |
|------------------|-----------------|
| Albritton. | McDonald. |
| Anderson. | Mehl. |
| Conway. | Negley. |
| DeWolfe. | Nicholson. |
| Dunlap. | Patterson. |
| Ewing. | Pope of Nueces. |
| Holder. | Smith. |
| Jenkins. | Thompson. |
| Kenyon. | Turner. |
| King. | Wiggs. |
| Long of Houston. | |

Absent—Excused.

| | |
|------------|------------|
| Avis. | Walters. |
| Harper. | Webb. |
| Lee. | Williams |
| Stevenson. | of Hardin. |

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—75.

| | |
|-----------------|--------------------|
| Acker. | Hefley. |
| Ackerman. | Hines. |
| Albritton. | Hogg. |
| Anderson. | Hopkins. |
| Baldwin. | Johnson of Smith. |
| Barnett. | Johnson of Scurry. |
| Bateman. | Justiss. |
| Beck. | Kayton. |
| Bounds. | Keller. |
| Bradley. | Kemble. |
| Brooks. | Kenyon. |
| Cox of Navarro. | Kinnear. |
| Cox of Lamar. | Lemens. |
| DeWolfe. | Long of Wichita. |
| Dunlap. | Mankin. |
| Duvall. | Maynard. |
| Enderby. | McCombs. |
| Eickenroht. | McGill. |
| Gates. | McKean. |
| Gerron. | Metcalfe. |
| Giles. | Montgomery. |
| Hardy. | Moore. |
| Harding. | Morse. |
| Harman. | Mullally. |
| Harrison. | Negley. |

| | |
|-----------------|------------|
| Nicholson. | Sherrill. |
| O'Neill. | Shipman. |
| Patterson. | Snelgrove. |
| Pavlica. | Speck. |
| Pool. | Storey. |
| Pope of Jones. | Strong. |
| Pope of Nueces. | Turner. |
| Purl. | Van Zandt. |
| Ray. | Veatch. |
| Reid. | Warwick. |
| Richardson. | Westbrook. |
| Rogers. | Williams |
| Savage. | of Sabine. |

Nays—48.

| | |
|-------------------|--------------|
| Adkins. | Loy. |
| Baker. | Martin. |
| Bond. | Mauritz. |
| Carpenter. | Minor. |
| Chastain. | Mosely. |
| Coltrin. | Olsen. |
| Cox of Limestone. | Petsch. |
| Davis. | Prendergast. |
| Finlay. | Reader. |
| Forbes. | Renfro. |
| Fuchs. | Sanders. |
| Gilbert. | Shaver. |
| Graves | Shelton. |
| of Williamson. | Simmons. |
| Graves of Erath. | Sinks. |
| Heaton. | Smith. |
| Holder. | Stephens. |
| Hornaday. | Tarwater. |
| Hubbard. | Thurmond. |
| Johnson | Waddell. |
| of Dimmit. | Wallace. |
| Keeton. | Williams |
| Kennedy. | of Travis. |
| Kincaid. | Woodall. |
| King. | Woodruff. |
| Land. | |

Present—Not Voting.

| | |
|--------|--------|
| Brice. | Quinn. |
| Jones. | |

Absent.

| | |
|------------------|------------|
| Conway. | Palmer. |
| Ewing. | Rountree. |
| Finn. | Stevenson. |
| Jenkins. | Thompson. |
| Long of Houston. | Tillotson. |
| McDonald. | White. |
| Mehl. | Wiggs. |
| Murphy. | Young. |

Absent—Excused.

| | |
|----------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Lee. | of Hardin. |
| Walters. | |

Mr. McCombs moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Westbrook offered the following amendment to the bill:

Amend House bill No. 647 by adding Section 5a thereto, said section to read as follows:

"Provided, that nothing in this bill shall be construed to restrict any person, firm, company, association or corporation from meeting legitimate competition."

The amendment was adopted.

Mr. Westbrook offered the following amendment to the bill:

Amend House bill No. 647, Section 2, by inserting between the words "corporation" and "has" in line 25, page 2, the following, "for the purpose of destroying the business of a competitor in any locality."

The amendment was adopted.

Mr. Duvall offered the following amendment to the bill:

Amend the bill by striking out the enacting clause.

Mr. Morse moved the previous question on the pending amendment and the bill, and the main question was ordered.

(Pending consideration of the amendment, Mr. Shaver occupied the chair temporarily.)

(Speaker in the chair.)

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—59.

| | |
|-------------------|------------------|
| Acker. | Kenyon. |
| Ackerman. | Kinnear. |
| Anderson. | Land. |
| Baldwin. | Lemens. |
| Bateman. | Long of Wichita. |
| Beck. | Mankin. |
| Bounds. | Maynard. |
| Bradley. | McCombs. |
| Brooks. | McGill. |
| Conway. | McKean. |
| DeWolfe. | Mehl. |
| Duvall. | Montgomery. |
| Enderby. | Moore. |
| Gates. | Morse. |
| Gerron. | Mullally. |
| Hardy. | Negley. |
| Harding. | Nicholson. |
| Harman. | O'Neill. |
| Harrison. | Patterson. |
| Hefley. | Pavlica. |
| Hogg. | Pool. |
| Hopkins. | Pope of Jones. |
| Hornaday. | Pope of Nueces. |
| Johnson of Smith. | Purl. |
| Kayton. | Savage. |
| Keller. | Shipman. |
| Kemble. | Storey. |

Strong.
Turner.
Warwick.

Westbrook.
Williams
of Sabine.

Nays—67.

| | |
|-------------------|--------------|
| Adkins. | Martin. |
| Albritton. | Mauritz. |
| Baker. | Metcalf. |
| Bond. | Minor. |
| Brice. | Mosely. |
| Carpenter. | Murphy. |
| Chastain. | Olsen. |
| Coltrin. | Palmer. |
| Cox of Lamar. | Petsch. |
| Cox of Limestone. | Prendergast. |
| Davis. | Quinn. |
| Eickenroht. | Reader. |
| Finn. | Reid. |
| Finlay. | Renfro. |
| Forbes. | Rogers. |
| Fuchs. | Sanders. |
| Giles. | Shaver. |
| Graves | Shelton. |
| of Williamson. | Simmons. |
| Graves of Erath. | Sinks. |
| Hines. | Smith. |
| Holder. | Snelgrove. |
| Hubbard. | Speck. |
| Jenkins. | Stephens. |
| Johnson | Stevenson. |
| of Dimmit. | Tarwater. |
| Jones. | Thurmond. |
| Justiss. | Tillotson. |
| Keeton. | Veatch. |
| Kennedy. | Waddell. |
| Kincaid. | Wallace. |
| King. | Williams |
| Lee. | of Travis. |
| Long of Houston. | Woodruff. |
| Loy. | Young. |

Absent.

| | |
|--------------------|-------------|
| Barnett. | Ray. |
| Cox of Navarro. | Richardson. |
| Dunlap. | Rountree. |
| Ewing. | Sherrill. |
| Gilbert. | Thompson. |
| Heaton. | White. |
| Johnson of Scurry. | Wiggs. |
| McDonald. | |

Absent—Excused.

| | |
|----------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Walters. | of Hardin. |

Paired.

Mr. Woodall (present), who would vote "nay," with Mr. Van Zandt (absent), who would vote "yea."

Mr. Morse moved to reconsider the vote by which the previous question was ordered.

Yeas and nays were demanded and the motion was lost by the following vote:

Yeas—59.

| | |
|-------------------|------------------|
| Acker. | Kinnear. |
| Ackerman. | Land. |
| Albritton. | Long of Wichita. |
| Anderson. | Mankin. |
| Baldwin. | Maynard. |
| Beck. | McCombs. |
| Bounds. | Montgomery. |
| Bradley. | Moore. |
| Brooks. | Morse. |
| DeWolfe. | Mullally. |
| Dunlap. | Negley. |
| Duvall. | Nicholson. |
| Ewing. | O'Neill. |
| Finn. | Patterson. |
| Fuchs. | Pavlica. |
| Gates. | Pool. |
| Gerron. | Pope of Jones. |
| Hardy. | Pope of Nueces. |
| Harding. | Prendergast. |
| Harman. | Purl. |
| Harrison. | Shipman. |
| Hines. | Simmons. |
| Hogg. | Stevenson. |
| Hopkins. | Storey. |
| Johnson of Smith. | Veatch. |
| Kayton. | Warwick. |
| Keller. | Westbrook. |
| Kemble. | Williams |
| Kennedy. | of Sabine. |
| Kenyon. | Woodruff. |

Nays—70.

| | |
|-------------------|------------------|
| Adkins. | Long of Houston. |
| Baker. | Loy. |
| Barnett. | Martin. |
| Bateman. | Mauritz. |
| Bond. | McKean. |
| Brice. | Metcalf. |
| Carpenter. | Minor. |
| Chastain. | Mosely. |
| Coltrin. | Murphy. |
| Conway. | Olsen. |
| Cox of Lamar. | Palmer. |
| Cox of Limestone. | Petsch. |
| Davis. | Quinn. |
| Enderby. | Ray. |
| Eickenroht. | Reader. |
| Finlay. | Reid. |
| Forbes. | Renfro. |
| Giles. | Richardson. |
| Graves | Rogers. |
| of Williamson. | Sanders. |
| Graves of Erath. | Savage. |
| Hefley. | Shaver. |
| Holder. | Shelton. |
| Jenkins. | Sherrill. |
| Johnson | Sinks. |
| of Dimmit. | Smith. |
| Jones. | Snelgrove. |
| Justiss. | Speck. |
| Keeton. | Stephens. |
| Kincaid. | Strong. |
| King. | Tarwater. |
| Lee. | Thurmond. |
| Lemens. | Tillotson. |

| | |
|----------|---------------------|
| Turner. | Williams of Travis. |
| Waddell. | Woodall. |
| Wallace. | Young. |

Absent.

| | |
|--------------------|------------|
| Cox of Navarro. | Mehl. |
| Gilbert. | Rountree. |
| Heaton. | Thompson. |
| Hubbard. | Van Zandt. |
| Johnson of Scurry. | White. |
| McDonald. | Wiggs. |
| McGill. | |

Absent—Excused.

| | |
|-----------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Hornaday. | of Hardin. |
| Walters. | |

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

The roll was called and announced as follows: Yeas 64; nays 66.

Mr. Woodall called for a verification of the vote.

The roll of the members recorded as voting "yea" and "nay" was called and the verified vote stood as follows:

Yeas—63.

| | |
|-------------------|--------------|
| Adkins. | Mauritz. |
| Baker. | Metcalfe. |
| Barnett. | Minor. |
| Bond. | Mosely. |
| Brice. | Murphy. |
| Carpenter. | Olsen. |
| Coltrin. | Petsch. |
| Cox of Limestone. | Prendergast. |
| Davis. | Quinn. |
| Ewing. | Reader. |
| Eickenroht. | Reid. |
| Finn. | Renfro. |
| Finlay. | Richardson. |
| Forbes. | Rogers. |
| Fuchs. | Shaver. |
| Giles. | Shelton. |
| Graves | Sherrill. |
| of Williamson. | Sinks. |
| Graves of Erath. | Smith. |
| Hines. | Snelgrove. |
| Holder. | Speck. |
| Jenkins. | Stephens. |
| Johnson | Stevenson. |
| of Dimmit. | Tarwater. |
| Jones. | Thurmond. |
| Justiss. | Tillotson. |
| Keeton. | Veatch. |
| Kennedy. | Waddell. |
| Kincaid. | Wallace. |
| King. | Williams |
| Lee. | of Travis. |
| Loy. | Woodruff. |
| Martin. | Young. |

Nays—67.

| | |
|-------------------|------------------|
| Acker. | Lemens. |
| Ackerman. | Long of Houston. |
| Anderson. | Long of Wichita. |
| Baldwin. | Maynard. |
| Bateman. | McKean. |
| Beck. | McCombs. |
| Bounds. | McKean. |
| Bradley. | Mehl. |
| Brooks. | Montgomery. |
| Chastain. | Moore. |
| Conway. | Morse. |
| Cox of Lamar. | Mullally. |
| DeWolfe. | Negley. |
| Dunlap. | Nicholson. |
| Duvall. | O'Neill. |
| Enderby. | Patterson. |
| Gates. | Pavlica. |
| Gerron. | Pool. |
| Hardy. | Pope of Jones. |
| Harding. | Pope of Nueces |
| Harman. | Purl. |
| Harrison. | Ray. |
| Hefley. | Rountree. |
| Hogg. | Sanders. |
| Hopkins. | Savage. |
| Hornaday. | Shipman. |
| Hubbard. | Simmons. |
| Johnson of Smith. | Storey. |
| Kayton. | Strong. |
| Keller. | Turner. |
| Kemble. | Warwick. |
| Kenyon. | Westbrook. |
| Kinnear. | Williams |
| Land. | of Sabine. |

Present—Not Voting.

| | |
|------------|--------|
| Albritton. | Wiggs. |
|------------|--------|

Absent.

| | |
|--------------------|-----------|
| Cox of Navarro. | McGill. |
| Gilbert. | Palmer. |
| Heaton. | Thompson. |
| Johnson of Scurry. | White. |
| McDonald. | |

Absent—Excused.

| | |
|----------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Walters. | of Hardin. |

Paired.

Mr. Woodall (present), who would "yea," with Mr. Van Zandt (absent), who would vote "nay."

Reason for Vote.

I voted against House bill No. 647 because I believe this bill would work an untold hardship on thousands of honest citizens of this State who ask nothing of the government except an opportunity to engage in legitimate business with a fair return on their investment. Without questioning the

high purpose that prompted the authors to introduce this bill, at the same time I sincerely believe it to have just the opposite effect than that which they hoped for it. I also believe that many innocent citizens would be hauled into court hundreds of miles from home on some trumped-up charge inspired by an unscrupulous competitor. The bill is so far-reaching that I sincerely believe it would apply to every business in Texas, including the dairy industry and small truck farmers. Despite the opinion from the Attorney General that this bill is constitutional I firmly believe that the Supreme Court would hold same unconstitutional if it were ever submitted, and for that reason I voted "No."

PURL.

The Speaker announced that House bill No. 647 failed to pass to engrossment.

Mr. Purl moved to reconsider the vote by which the bill failed to pass to engrossment, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70.

| | |
|-------------------|------------------|
| Acker. | Kemble. |
| Ackerman. | Kennedy. |
| Anderson. | Kenyon. |
| Baldwin. | Kinnear. |
| Bateman. | Land. |
| Beck. | Lemens. |
| Bounds. | Long of Houston. |
| Bradley. | Long of Wichita. |
| Brooks. | Mankin. |
| Chastain. | Maynard. |
| Coltrin. | McCombs. |
| Conway. | McKean. |
| Cox of Navarro. | Mehl. |
| Cox of Lamar. | Montgomery. |
| Dunlap. | Moore. |
| Duvall. | Morse. |
| Ewing. | Mullally. |
| Fuchs. | Negley. |
| Gates. | Nicholson. |
| Gerron. | O'Neill. |
| Hardy. | Palmer. |
| Harding. | Patterson. |
| Harman. | Pavlica. |
| Harrison. | Pool. |
| Hefley. | Pope of Jones. |
| Hogg. | Pope of Nueces. |
| Hopkins. | Purl. |
| Hornaday. | Ray. |
| Johnson of Smith. | Richardson. |
| Kayton. | Rountree. |
| Keller. | Savage. |

Shelton.
Shipman.
Simmons.
Storey.
Strong.
Warwick.

Westbrook.
Williams
of Sabine.
Williams
of Travis.

Nays—63.

| | |
|--------------------|--------------|
| Adkins. | Metcalf. |
| Baker. | Minor. |
| Barnett. | Mosely. |
| Bond. | Murphy. |
| Brice. | Olsen. |
| Carpenter. | Petsch. |
| Cox of Limestone. | Prendergast. |
| Davis. | Quinn. |
| DeWolfe. | Reader. |
| Enderby. | Reid. |
| Eickenroht. | Renfro. |
| Finn. | Rogers. |
| Finlay. | Sanders. |
| Forbes. | Shaver. |
| Giles. | Sherrill. |
| Graves | Sinks. |
| of Williamson. | Smith. |
| Graves of Erath. | Snelgrove. |
| Hines. | Speck. |
| Holder. | Stephens. |
| Jenkins. | Tarwater. |
| Johnson | Thurmond. |
| of Dimmit. | Tillotson. |
| Johnson of Scurry. | Turner. |
| Jones. | Van Zandt. |
| Justiss. | Veatch. |
| Keeton. | Waddell. |
| Kincaid. | Wallace. |
| King. | Wiggs. |
| Lee. | Woodall. |
| Loy. | Woodruff. |
| Martin. | Young. |
| Mauritz. | |

Present—Not Voting.

Albritton.

Absent.

| | |
|-----------|-----------|
| Gilbert. | McGill. |
| Heaton. | Thompson. |
| Hubbard. | White. |
| McDonald. | |

Absent—Excused.

| | |
|------------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Stevenson. | of Hardin. |
| Walters. | |

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin Texas, February 22, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has

concurred in House amendments to Senate bill No. 199 by a viva voce vote.

Has concurred in House amendments to Senate bills Nos. 90, 91, 256, 279 and 334 by a vote of 29 yeas, 0 nays.

Has adopted the free conference committee report on Senate bill No. 35 by a viva voce vote.

Has adopted the free conference committee report on House bill No. 248 by a viva voce vote.

Has reconsidered vote by which passed finally House bill No. 153, and passed finally as amended by House by a vote of 29 yeas, 0 nays.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 413 ON FINAL PASSAGE.

Mr. Hines moved to reconsider the vote by which House bill No. 413 was passed.

The motion to reconsider prevailed.

Mr. Hines offered the following amendment to the bill:

Amend House bill No. 413 by adding after the word "bait" in line 23 the following, "provided, however, that nothing in this act shall be construed to prevent the taking or catching of buffalo, carp and catfish by the use of a hoop or trammel net with meshes not less than four inches square in the waters of Sulphur River in Cass and Bowie counties; provided further, that pond nets are hereby entirely prohibited." Also amend caption to conform with body of the bill.

The amendment was adopted.

House bill No. 413 was then finally passed by the following vote:

Yeas—105.

| | |
|---------------|--------------------|
| Mr. Speaker. | DeWolfe. |
| Ackerman. | Enderby. |
| Adkins. | Ewing. |
| Albritton. | Finn. |
| Anderson. | Finlay. |
| Baker. | Forbes. |
| Bateman. | Gerron. |
| Beck. | Giles. |
| Bond. | Graves |
| Bounds. | of Williamson. |
| Bradley. | Graves of Erath. |
| Brice. | Hardy. |
| Brooks. | Hefley. |
| Carpenter. | Hines. |
| Coltrin. | Hogg. |
| Conway. | Hopkins. |
| Cox of Lamar. | Hornaday. |
| Davis. | Johnson of Scurry. |

| | |
|------------------|-----------------|
| Johnson | Pool. |
| of Dimmit. | Pope of Nueces. |
| Jones. | Quinn. |
| Justiss. | Ray. |
| Kayton. | Reader. |
| Keller. | Reid. |
| Kemble. | Renfro. |
| Kennedy. | Richardson. |
| King. | Rogers. |
| Kinnear. | Rountree. |
| Land. | Sanders. |
| Lemens. | Savage. |
| Long of Houston. | Shaver. |
| Long of Wichita. | Shelton. |
| Loy. | Sherrill. |
| Mankin. | Shipman. |
| Martin. | Simmons. |
| Mauritz. | Sinks. |
| Maynard. | Smith. |
| McGill. | Snelgrove. |
| McKean. | Speck. |
| Mehl. | Stephens. |
| Metcalf. | Storey. |
| Minor. | Strong. |
| Moore. | Thurmond. |
| Morse. | Tillotson. |
| Mosely. | Van Zandt. |
| Mullally. | Veatch. |
| Murphy. | Waddell. |
| Nicholson. | Wallace. |
| Olsen. | Warwick. |
| O'Neill. | Wiggs. |
| Palmer. | Williams |
| Patterson. | of Travis. |
| Pavlica. | Woodall. |
| Petsch. | Young. |

Present—Not Voting.

Cox of Limestone.

Absent.

| | |
|-------------------|----------------|
| Acker. | Keeton. |
| Baldwin. | Kenyon. |
| Barnett. | Kincaid. |
| Chastain. | Lee. |
| Cox of Navarro. | McCombs. |
| Dunlap. | McDonald. |
| Duvall. | Montgomery. |
| Eickenroht. | Negley. |
| Fuchs. | Pope of Jones. |
| Gates. | Prendergast. |
| Gilbert. | Purl. |
| Harding. | Tarwater. |
| Harman. | Thompson. |
| Harrison. | Turner. |
| Heaton. | Westbrook. |
| Holder. | White. |
| Hubbard. | Williams |
| Jenkins. | of Sabine. |
| Johnson of Smith. | Woodruff. |

Absent—Excused.

| | |
|------------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Stevenson. | of Hardin. |
| Walters. | |

HOUSE BILL NO. 564 ON SECOND
READING.

On motion of Mr. Sinks, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 564, A bill to be entitled "An Act making better provision for the regulation of the sale and dealings in stocks, bonds and securities in this State, including any share, stock, treasury stock, stock certificate, under a voting trust agreement, collateral trust certificate, pre-organization certificate or receipt, subscription or reorganization certificate, note, bond, debenture, mortgage, certificate or other evidence of indebtedness, any form of commercial paper, certificate in or under a profit-sharing or participation agreement, certificate of interest in or under an oil, gas or mining lease or title, or any certificate or instrument representing or secured by any interest in any or all of the capital, property, assets, profits or earnings of any company, investment contract or any other instrument commonly known as a security, whether similar to those herein referred to or not, and providing for the registration of certain persons and companies dealing in securities; this act being a blue sky law superseding the present blue sky law of this State."

The Speaker laid the bill before the House and it was read second time.

On motion of Mr. Sinks, the bill was laid on the table subject to call.

HOUSE BILL NO. 635 ON SECOND
READING.

On motion of Mr. Carpenter, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 635, A bill to be entitled "An Act amending Article 6704 of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Fortieth Legislature at its Regular Session, Chapter 178, Chapter 256, by changing the provisions relative to the width of first-class roads; and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 635 ON THIRD
READING.

Mr. Carpenter moved that the constitutional rule requiring bills to be read

on three several days be suspended and that House bill No. 635 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

| | |
|--------------------|-----------------|
| Mr. Speaker. | Mauritz. |
| Ackerman. | Maynard. |
| Adkins. | McCombs. |
| Anderson. | McGill. |
| Baker. | Mehl. |
| Barnett. | Metcalfe. |
| Beck. | Minor. |
| Bond. | Moore. |
| Bounds. | Morse. |
| Bradley. | Mosely. |
| Brice. | Mullally. |
| Brooks. | Murphy. |
| Carpenter. | Negley. |
| Coltrin. | Olsen. |
| Conway. | O'Neill. |
| Cox of Navarro. | Palmer. |
| Cox of Lamar. | Pavlica. |
| Cox of Limestone. | Pool. |
| DeWolfe. | Pope of Jones. |
| Dunlap. | Pope of Nueces. |
| Enderby. | Prendergast. |
| Ewing. | Purl. |
| Finn. | Quinn. |
| Finlay. | Ray. |
| Forbes. | Reader. |
| Gates. | Reid. |
| Gerron. | Renfro. |
| Giles. | Richardson. |
| Graves | Rogers. |
| of Williamson. | Rountree. |
| Graves of Erath. | Sanders. |
| Hardy. | Savage. |
| Harrison. | Shelton. |
| Hefley. | Sherrill. |
| Hines. | Simmons. |
| Hornaday. | Sinks. |
| Jenkins. | Smith. |
| Johnson | Speck. |
| of Dimmit. | Stephens. |
| Johnson of Scurry. | Storey. |
| Jones. | Strong. |
| Keeton. | Tarwater. |
| Keller. | Thurmond. |
| Kemble. | Turner. |
| Kenyon. | Van Zandt. |
| Kincaid. | Veatch. |
| King. | Waddell. |
| Kinnear. | Westbrook. |
| Land. | Wiggs. |
| Lee. | Williams |
| Lemens. | of Sabine. |
| Long of Houston. | Williams |
| Long of Wichita. | of Travis. |
| Loy. | Woodall. |
| Mankin. | Young. |
| Martin. | |

Nays—4.

| | |
|------------|------------|
| Albritton. | Kennedy. |
| Bateman. | Snelgrove. |

Absent.

| | |
|-------------------|------------|
| Acker. | Justiss. |
| Baldwin. | Kayton. |
| Chastain. | McDonald. |
| Davis. | McKean. |
| Duvall. | Montgomery |
| Eickenroht. | Nicholson. |
| Fuchs. | Patterson. |
| Gilbert. | Petsch. |
| Harding. | Shaver. |
| Harman. | Shipman. |
| Heaton. | Thompson. |
| Hogg. | Tillotson. |
| Holder. | Warwick. |
| Hopkins. | White. |
| Hubbard. | Woodruff. |
| Johnson of Smith. | |

Absent—Excused.

| | |
|------------|------------|
| Avis. | Walters. |
| Harper. | Webb. |
| Stevenson. | Williams |
| Wallace. | of Hardin. |

The Speaker then laid House bill No. 635 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

| | |
|-------------------|--------------------|
| Mr. Speaker. | Hornaday. |
| Ackerman. | Jenkins. |
| Adkins. | Johnson |
| Albritton. | of Dimmit. |
| Anderson. | Johnson of Scurry. |
| Baker. | Jones. |
| Barnett. | Justiss. |
| Beck. | Kayton. |
| Bond. | Keeton. |
| Bounds. | Keller. |
| Bradley. | Kemble. |
| Brice. | Kenyon. |
| Brooks. | Kincaid. |
| Carpenter. | King. |
| Coltrin. | Kinnear. |
| Conway. | Land. |
| Cox of Navarro. | Lee. |
| Cox of Lamar. | Lemens. |
| Cox of Limestone. | Long of Houston. |
| DeWolfe. | Long of Wichita. |
| Ewing. | Loy. |
| Finn. | Mankin. |
| Finlay. | Martin. |
| Forbes. | McGill. |
| Gates. | Mehl. |
| Gerron. | Metcalfe. |
| Giles. | Minor. |
| Graves | Moore. |
| of Williamson. | Morse. |
| Graves of Erath. | Mosely. |
| Harrison. | Mullally. |
| Hefley. | Murphy. |
| Hines. | Negley. |
| Holder. | Olsen. |

| | |
|----------------|------------|
| O'Neill. | Simmons. |
| Palmer. | Sinks. |
| Pavlica. | Smith. |
| Pool. | Speck. |
| Pope of Jones. | Stephens. |
| Prendergast. | Strong. |
| Purl. | Thurmond. |
| Quinn. | Turner. |
| Ray. | Van Zandt. |
| Reader. | Veatch. |
| Reid. | Waddell. |
| Renfro. | Wallace. |
| Richardson. | Warwick. |
| Rogers. | Wiggs. |
| Rountree. | Williams |
| Sanders. | of Sabine. |
| Savage. | Williams |
| Shaver. | of Travis. |
| Sherrill. | Woodall. |
| Shipman. | Young. |

Nays—3.

| | |
|----------|------------|
| Bateman. | Snelgrove. |
| Shelton. | |

Present—Not Voting.

| | |
|----------|-----------|
| Kennedy. | Tarwater. |
| Maynard. | |

Absent.

| | |
|-------------|-------------------|
| Acker. | Hubbard. |
| Baldwin. | Johnson of Smith. |
| Chastain. | Mauritz. |
| Davis. | McCombs. |
| Dunlap. | McDonald. |
| Duvall. | McKean. |
| Enderby. | Montgomery. |
| Eickenroht. | Nicholson. |
| Fuchs. | Patterson. |
| Gilbert. | Pope of Nueces. |
| Hardy. | Storey. |
| Harding. | Thompson. |
| Harman. | Tillotson. |
| Heaton. | Westbrook. |
| Hogg. | White. |
| Hopkins. | Woodruff. |

Absent—Excused.

| | |
|------------|------------|
| Avis. | Walters. |
| Harper. | Webb. |
| Petsch. | Williams |
| Stevenson. | of Hardin. |

HOUSE BILL NO. 220 ON SECOND READING.

On motion of Mr. Conway, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 220, A bill to be entitled "An Act to amend Article 602 of the Penal Code of the State of Texas, 1925, so as to make the offense of desertion of wife or child a felony; providing a

penalty therefor, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Conway offered the following (committee) amendment to the bill:

Amend by striking out all below the enacting clause in House bill No. 220 and insert the following in lieu thereof:

"Section 1. That Article 602 of the 1925 Penal Code of the State of Texas be, and the same is hereby, amended so as to read as follows:

"Article 602. Desertion of Wife or Children.—Any husband who shall willfully desert, neglect or refuse to provide for the support and maintenance of his wife, who may be destitute and in necessitous circumstances, or any parent who shall willfully desert, neglect or refuse to provide for the support and maintenance of his or her child or children under the age of sixteen years, whether such child or children are in his or her custody or the custody of some other person, shall be fined not less than \$25 nor more than \$500, or be imprisoned in the county jail not more than one year, or both.

"Sec. 2. The fact that the question has been raised as to the requirements and needs for the assistance of a deserted wife or child or children is uncertain creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted."

Mr. Keller offered the following substitute for the amendment:

Strike out the words "destitute or" where same occur the first time in the definition immediately after the word "in" and also the words "in destitute or necessitous circumstances" after the words "sixteen years."

On motion of Mr. Holder, the substitute was tabled.

The (committee) amendment was then adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 220 was then passed to engrossment by the following vote:

Yeas—70.

| | |
|----------|---------|
| Adkins. | Bounds. |
| Baker. | Brice. |
| Barnett. | Brooks. |

| | |
|--------------------|----------------|
| Coltrin. | Mosely. |
| Conway. | O'Neill. |
| Cox of Navarro. | Petsch. |
| Cox of Lamar. | Pope of Jones. |
| Davis. | Prendergast. |
| Enderby. | Purl. |
| Eickenroht. | Quinn. |
| Finn. | Reader. |
| Finlay. | Reid. |
| Forbes. | Renfro. |
| Fuchs. | Savage. |
| Giles. | Shaver. |
| Graves | Shelton. |
| of Williamson. | Simmons. |
| Graves of Erath. | Sinks. |
| Harrison. | Smith. |
| Hines. | Snelgrove. |
| Holder. | Speck. |
| Hornaday. | Stephens. |
| Johnson | Tillotson. |
| of Dimmit. | Turner. |
| Johnson of Scurry. | Veatch. |
| Jones. | Waddell. |
| Justiss. | Wallace. |
| Keeton. | Warwick. |
| Kennedy. | White. |
| Kincaid. | Wiggs. |
| King. | Williams |
| Kinnear. | of Sabine. |
| Lee. | Williams |
| Long of Wichita. | of Travis. |
| Mauritz. | Woodall. |
| Metcalf. | Woodruff. |
| Moore. | Young. |

Nays—50.

| | |
|-------------------|-----------------|
| Albritton. | McCombs. |
| Anderson. | McGill. |
| Bateman. | McKean. |
| Beck. | Mehl. |
| Bond. | Minor. |
| DeWolfe. | Montgomery. |
| Dunlap. | Morse. |
| Duvall. | Mullally. |
| Gates. | Murphy. |
| Gerron. | Negley. |
| Hardy. | Olsen. |
| Hefley. | Palmer. |
| Hogg. | Patterson. |
| Hopkins. | Pavlica. |
| Hubbard. | Pool. |
| Johnson of Smith. | Pope of Nueces. |
| Kayton. | Ray. |
| Keller. | Richardson. |
| Kemble. | Sanders. |
| Kenyon. | Sherrill. |
| Land. | Shipman. |
| Loy. | Storey. |
| Mankin. | Strong. |
| Martin. | Van Zandt. |
| Maynard. | Westbrook. |

Absent.

| | |
|-----------|------------|
| Acker. | Bradley. |
| Ackerman. | Carpenter. |
| Baldwin. | Chastain. |

| | |
|-------------------|------------|
| Cox of Limestone. | McDonald. |
| Ewing. | Nicholson. |
| Gilbert. | Rogers. |
| Harding. | Rountree. |
| Harman. | Stevenson. |
| Heaton. | Tarwater. |
| Jenkins. | Thompson. |
| Lemens. | Thurmond. |
| Long of Houston. | |

Absent—Excused.

| | |
|----------|------------|
| Avis. | Webb. |
| Harper. | Williams |
| Walters. | of Hardin. |

MOTION TO TAKE UP HOUSE BILL
NO. 220.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 220 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—75.

| | |
|--------------------|---------------------|
| Adkins. | Mehl. |
| Baker. | Metcalf. |
| Barnett. | Minor. |
| Bounds. | Mosely. |
| Brice. | O'Neill. |
| Brooks. | Palmer. |
| Chastain. | Petsch. |
| Coltrin. | Pope of Jones. |
| Conway. | Prendergast. |
| Cox of Navarro. | Quinn. |
| Cox of Lamar. | Reader. |
| Davis. | Reid. |
| Enderby. | Renfro. |
| Ewing. | Richardson. |
| Finn. | Sanders. |
| Finlay. | Savage. |
| Forbes. | Shaver. |
| Fuchs. | Shelton. |
| Giles. | Simmons. |
| Graves | Sinks. |
| of Williamson. | Smith. |
| Graves of Erath. | Snelgrove. |
| Harrison. | Speck. |
| Hines. | Stephens. |
| Holder. | Strong. |
| Hornaday. | Tillotson. |
| Johnson | Turner. |
| of Dimmit. | Van Zandt. |
| Johnson of Smith. | Veatch. |
| Johnson of Scurry. | Wallace. |
| Jones. | Warwick. |
| Justiss. | White. |
| Keeton. | Wiggs. |
| Kennedy. | Williams |
| Kincaid. | of Sabine. |
| King. | Williams of Travis. |
| Kinnear. | Woodall. |
| Long of Wichita. | Woodruff. |
| Mauritz. | Young. |

Nays—37.

| | |
|-------------|-----------------|
| Albritton. | Martin. |
| Baldwin. | Maynard. |
| Bateman. | McCombs. |
| Beck. | McGill. |
| Bond. | McKean. |
| DeWolfe. | Montgomery. |
| Dunlap. | Morse. |
| Duvall. | Mullally. |
| Eickenroht. | Negley. |
| Gerron. | Olsen. |
| Hardy. | Patterson. |
| Hopkins. | Pavlica. |
| Hubbard. | Pool. |
| Kayton. | Pope of Nueces. |
| Kemble. | Purl. |
| Kenyon. | Ray. |
| Land. | Storey. |
| Loy. | Westbrook. |
| Mankin. | |

Absent.

| | |
|-------------------|------------------|
| Acker. | Lee. |
| Ackerman. | Lemens. |
| Anderson. | Long of Houston. |
| Bradley. | McDonald. |
| Carpenter. | Moore. |
| Cox of Limestone. | Murphy. |
| Gates. | Nicholson. |
| Gilbert. | Rogers. |
| Harding. | Rountree. |
| Harman. | Sherrill. |
| Heaton. | Shipman. |
| Hefley. | Tarwater. |
| Hogg. | Thompson. |
| Jenkins. | Thurmond. |
| Keller. | Waddell. |

Absent—Excused.

| | |
|------------|---------------------|
| Avis. | Walters. |
| Harper. | Webb. |
| Stevenson. | Williams of Hardin. |

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Lemens, Mr. Graves of Erath, Mr. Westbrook and Mr. Morse:

H. B. No. 739, A bill to be entitled "An Act establishing at Meridian, in Bosque county, Texas, the Central Texas State Teachers College, conditioned on acquiring good title to the college property of Meridian College now located at Meridian, Texas, for the purpose of said teachers college."

Referred to Committee on Education.

By Mr. Pope and Mr. Mehl:

H. B. No. 740, A bill to be entitled "An Act to provide for the extension

of the term of oil and gas permit No. 11752 from a period of two years to a period of five years from its date."

Referred to Committee on Public Lands and Buildings.

By Mr. Tillotson:

H. B. No. 741, A bill to be entitled "An Act to amend Article 971 of Chapter 1, Title 28, Revised Civil Statutes of 1925, relating to the area that may be included in an incorporated city or town; and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

LEAVE OF ABSENCE GRANTED.

Mr. Anderson was granted leave of absence for yesterday afternoon on account of important business, on motion of Mr. Kayton.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 248, "An Act to amend Article 879h, Chapter 215, of the General and Special Laws of the State of Texas, passed by the Fortieth Legislature; and declaring an emergency."

H. B. No. 222, "An Act to amend Article 324 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Fortieth Legislature of Texas, passed and approved February 12, 1927, relating to the appointment of assistant district attorneys in judicial districts consisting of more than one county in which there is situated a city of twenty-eight thousand population or over, according to the last preceding United States census or any United States census which may hereafter be taken, so as to provide for the appointment of assistant district attorneys in such judicial districts in which there is situated a city of twenty-two thousand five hundred population or over, according to the 1920 United States census or in such judicial districts in which there is situated a city of twenty-eight thousand population or over, according to any United States census which may hereafter be taken, and declaring an emergency."

BILLS ORDERED NOT PRINTED.

On motion of Mr. Kemble, Senate bill No. 113 was ordered not printed.

On motion of Mr. Kemble, Senate bill No. 407 was ordered not printed.

On motion of Mr. Pope of Jones, House bill No. 737 was ordered not printed.

On motion of Mr. Cox of Navarro, Senate bill No. 572 was ordered not printed.

RECALLING SENATE BILL NO. 114 FROM GOVERNOR.

Mr. Williams of Travis offered the following resolution:

H. C. R. No. 27, Recalling Senate bill No. 114 from the Governor.

Whereas, The House has finally passed Senate bill No. 114; and

Whereas, The Senate has finally passed Senate bill No. 114, and it is now in the hands of the Governor; and

Resolved, That the Governor is hereby requested to return Senate bill No. 114 to the House for further consideration.

Whereas, It is the desire of the House to give this bill further consideration; therefore, be it

Signed—Williams of Travis, Montgomery.

The resolution was read second time and was adopted.

RECESS.

On motion of Mr. Morse, the House, at 6 o'clock p. m., took recess until 8 o'clock p. m. today.

NIGHT SESSION.

The House met at 8 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE GOVERNOR.

Mr. Mark Wiginton, secretary to the Governor, appear at the bar of the House and, being announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,
February 26, 1929.

To the Members of the House of Representatives of the Forty-first Legislature.

Gentlemen: I have vetoed and return herewith House bill No. 87, being "An Act to amend Article 7117 of Chapter 5, of Title 122, of the Revised Civil Statutes of Texas, 1925 codification, so as to exempt from inheritance tax intangible property of a non-resident who was, at the time of his death, a resident of a

State or Territory of the United States or of a foreign country which did not impose a transfer or inheritance tax of any character in respect of intangible personal property of residents of this State, or whose laws contained a reciprocal provision under which non-residents were exempt from such transfer or inheritance tax of such intangible personal property, provided the State or Territory or foreign country of the residence of such non-resident allowed a similar exemption to residents of the State, Territory or foreign country of the residence of such decedent and declaring an emergency."

It appears to me that the provisions of this bill would make it possible for a resident of this State, in anticipation of death, to convert his estate into personal property, move his residence to another State, and by this means pass his estate free of the inheritance tax.

It appears to me that this bill, if allowed to become a law, might be used as a means of defeating the purpose of our inheritance tax laws. The Legislature has declared the public policy of this State in favor of the inheritance tax laws. If it is to remain the State policy, I do not believe that a condition should be created whereby the law might be evaded or the attempt prevented to make it apply to all of the same class alike and in equal and uniform manner.

This bill is intended to relieve residents of this State from having to pay an inheritance tax to other States under certain circumstances, and that intention of the bill most certainly is not objectionable to me in the slightest degree. However, it may be used for the purpose hereinbefore indicated.

For the reasons indicated, I have vetoed this bill and return it herewith.

Respectfully submitted,

DAN MOODY.

HOUSE BILL NO. 343 ON SECOND READING.

On motion of Mr. Ackerman, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 343, A bill to be entitled "An Act regulating the sale of and defining agricultural seeds and mixed seeds; requiring the filing of representative samples and statements of quality of seed by seed dealers; prohibiting mixtures of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificates of analysis by

the Commissioner of Agriculture shall be prima facie evidence in certain cases, and regulating the measures of damages; designating and fixing penalties for its violation, and repealing Chapter 4, Revised Civil Statutes of 1925, of Title 4."

The Speaker laid the bill before the House and it was read second time.

Mr. Ackerman offered the following (committee) amendment to the bill:

Amend House bill No. 343 by striking out all above and below the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act regulating the sale of and defining agricultural seeds and mixed seeds; providing that the Commissioner of Agriculture may require the filing of samples by seed dealers; prohibiting mixtures of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificates of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases, and regulating the measure of damage and designating an officer for the enforcement of the law and fixing penalties for its violation; and repealing Chapter 4, of Title 4, Revised Civil Statutes of 1925."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the term "agricultural seeds" or "agricultural seed," as used in this act, shall be defined as the seeds of Canada blue grass, Kentucky blue grass, brome grass, fescues, millets, tall meadow oat grass, orchard grass, red top, Italian rye-grass, perennial rye-grass, saccharine and non-saccharine sorghums, Sudan grass, Rhodes, rescue, Bermuda and Johnson grasses, timothy, alfalfa, alsike clover, crimson clover, red clover, sweet clover, white clover, Canada field peas, cowpeas, soy beans, velvet beans, vetches and other grasses and forage plants, buckwheat, flax, rape, barley, field corn, broom corn, oats, rye, wheat and other cereals, and cotton seed, which are offered or exposed for sale within this State for seeding purposes within this State.

Sec. 2. Every lot of agricultural seeds as defined in Section 1 of this act, except as herein otherwise provided, when in bulk, package or other containers of ten pounds or more, shall have affixed thereto, in a conspicuous place, on the exterior of the container of such agricultural seeds, a plainly written or printed tag

or label as specified in Section 6, stating:

(a) Commonly accepted name.
(b) The approximate percentage by weight of inert matter and foreign material.

(c) The approximate total percentage by weight of weed seeds; the term "weed seeds" as herein used being defined as the noxious weed seeds listed in Section 2, subsection (f), and all seeds not listed in Section 1 as agricultural seeds.

(d) The approximate percentage of the kind of seed purported to be offered under the label, after deducting (a) "inert matter," (b) weed seed content and "other crop seeds," except where such seed is offered as a mixture under the provisions of Section 3 of this act.

(e) The name of each kind of the seeds of the noxious weed seeds herein-after defined, which are present, singly or collectively, as follows: In excess of one (1) said noxious weed seed in each five grams of timothy, red top, tall meadow oat grass, crested dogtail, Sudan grass, orchard grass, Canada blue grass, Kentucky blue grass, Bermuda, Johnson, Rhodes, rescue grasses, fescues, brome grasses, perennial and Italian rye grasses, western rye grass, crimson clover, red clover, white clover, alsike clover, sweet clover, alfalfa and all other grasses and clovers not otherwise classified; (2) one noxious weed seed in twenty-five grams of millets, rape, flax, and other seeds not specified in (1) or (3) of this subsection; (3) one of said noxious weed seed in one hundred grams of wheat, oats, rye, barley, buckwheat, vetches, saccharine and non-saccharine sorghums, broom corn, velvet beans, peanuts, corn and other seeds as large or larger than wheat.

(f) Noxious weed seeds are defined as the seeds of dodder (*Cuscuta*, various species); Johnson grass (*Andropogon halepensis*); Russian thistle (*Salsola kali*); blindweed or morning glory (*Convolvulus*, various species); blue weed (*Helianthus ciliaris*); wire grass (*Paspalum distichum*); Bermuda grass (*Cynodon dactylon*); and such other weed seeds to be determined by the Commissioner of Agriculture and to be listed after due notice.

(g) The approximate percentage of germination of such agricultural seed, together with the month and year said seed was tested; and provided further, the Commissioner of Agriculture shall test and publish the results of such tests as herein provided, together with

the month and year such tests were made by said Commissioner, together with the date of test shown on label.

(h) The full name and address of the vendor of such agricultural seeds.

(i) Correct weight.

(j) Name of State and locality where seed was grown, and if unknown the tag shall be marked accordingly.

Sec. 3. Mixtures of seeds offered or exposed for sale within the State for seeding purposes, in lots of ten (10) pounds or more, containing one or more kinds of the agricultural seeds defined in Section 2 of this act in excess of five per centum, by weight, of the total mixture, shall bear a plainly written or printed statement in the English language, stating:

(a) That such seed is a mixture.

(b) The approximate percentage by weight of inert matter.

(c) The name of each kind of agricultural seed which is present in proportion of five per cent or more of the total mixture.

(d) The requirements provided in paragraphs (c), (e), (g), (h) and (i) of Section 2 of this act.

Sec. 4. Before any agricultural seed or mixture of such seed are offered or exposed for sale, the vendor who causes it to be sold, exposed or offered for sale within this State for use within the State, shall for each kind and lot of seed defined in Section 1 file with the Commissioner of Agriculture a certified copy of the information enumerated in Section 2, covering the lot in question, and the Commissioner of Agriculture may, for the purpose of enforcing this act, make such inspections, either personally or through his agents or assistants, as he may deem advisable, and for that purpose may require samples of any lot of agricultural seed sold, or to be sold, or offered for sale, to be furnished him.

Sec. 5. The Commissioner of Agriculture is hereby empowered to adopt, from time to time, such reasonable rules and regulations, not in conflict with law, as he may deem necessary and advisable to carry out the provisions of this act, and may promulgate same by his proclamation published in the bulletin of the Department of Agriculture, and in one or more newspapers or farm journals of general circulation published in the State of Texas.

Sec. 6. The vendor, before any agricultural seed or mixture of such seed are offered for sale, shall pay to the Commissioner of Agriculture an inspection tax of not to exceed one cent for

each hundred pounds or fraction thereof sold, or offered for sale, in this State, and shall affix to each lot shipped in bulk, and to each bag, barrel or package of such seed, a tag to be furnished by said Commissioner, stating that all charges specified in this article have been paid. The Commissioner is hereby empowered to prescribe the form of such tags and adopt such regulations as may be necessary for the enforcement of this law. Whenever the vendor or wholesaler who prepares seed for market shall have filed a statement made as provided in Section 4 and paid the inspection tax, and has properly tagged seed shipped or offered for sale, said agent or retailer of such properly tagged seed shall not be required to file such statement or pay such tax. The amount of the inspection tax and penalties received by said Commissioner shall be paid into the State Treasury. So much of the inspection tax and penalties collected under this title shall be paid by the State Treasurer to the State Commissioner of Agriculture as the Commissioner may show by his bills has been expended in performing the duties required by this title, but in no case to exceed the amount of the inspection tax and penalties received by the State Treasurer under this title.

Sec. 7. The provisions of this act shall not apply to agricultural seeds, or mixtures of seeds, as defined in Section 3 of this act, when plainly labeled "Not Clean Seed" or "Not Tested Seed," or "Seeds sold to merchants to be recleaned before being sold or exposed for sale for seeding purposes," or when "in storage for the purpose of recleaning." Provided, however, that where exemption is sought under this provision, and where seeds are labeled so as to show that they are not tested, then it shall be unlawful for the vendor of such seed to attach statements either by labels or otherwise pertaining to germination, mechanical purity and weed seed content.

Sec. 8. The percentage of inert matter and mechanical purity of agricultural seed and the mixtures as defined in this act, and other percentages required by this act, shall be based upon a test or analysis, conducted either by the State Seed Laboratory or by the vendor of the agricultural seed, or "mixture," or his agents; provided, that such test or analysis made by the vendor or his agents shall conform to the reasonable regulations which said Commissioner of Agriculture is hereby

authorized and directed to prescribe, or shall conform to the reasonable regulations or method of testing adopted or used by the Association of Official Seed Analysts of North America.

Sec. 9. Whoever buys or sells agricultural seeds, defined in Section 1 of this act, or mixture of seeds as provided in Section 3 of this act, for the use in this State for seeding purposes, may submit adequate, representative and accurately drawn samples of such seeds to the State Seed Laboratory for examination, and test of purity and of viability, and said Commissioner of Agriculture shall cause such examination and test to be promptly made, and report thereon, and return to the sender. For the test of mechanical purity, said Commissioner shall charge a fee of twenty-five cents of each sample; and for a test of viability a fee of twenty-five cents, each or both of which fees shall be payable in advance; provided, that these tests shall be made free of charge to the citizens of this State. All money received from receipt of such fees shall be paid into the treasury of the State, to be credited to the funds of the State Department of Agriculture, to be used exclusively in the administration of this act.

Sec. 10. The enforcement of this act shall be entrusted to the Commissioner of Agriculture, and he is authorized, in person or by his inspectors, or assistants, to take for analysis a sample not exceeding two pounds in weight from any lot of agricultural seeds or "mixtures" offered or exposed for sale; provided, that said sample shall be drawn or taken in the presence of the vendor or parties interested, or his or their agents or representatives, and shall not be from less than ten per cent of the whole lot inspected and shall be thoroughly mixed and then divided in two samples and placed in containers, carefully sealed and a label placed on each such container, stating the name of the agricultural seed or mixture sampled, the name of the vendor from whose stock said samples were taken, and the date and place of taking of such samples, and said label shall be signed by said Commissioner of Agriculture, or his authorized agent; or said sample may be taken in the presence of disinterested witnesses if the vendor or party in interest fails or refuses to be present when notified. One of said duplicate samples shall be left with or on the premises of the vendor or party in interest, and the other retained by the Commissioner of Agriculture for

analysis and comparison with vendor's samples and labels required by Sections 2, 3, 4 and 5 of this act. The size of the sample required for the several crop seed shall be determined by the said Commissioner of Agriculture in such regulations as he may promulgate for the enforcement of this act. The owner may collect the retail price for such samples, and when samples are drawn for the enforcement of this act without the consent of the vendor, the Commissioner of Agriculture or his agent shall tender payment at the quoted retail price for the quantity thus taken, and shall take a receipt therefor. The Commissioner of Agriculture shall annually and prior to December 1st, make and submit to the Governor a report of the services performed by him or his assistants, together with an itemized account of all moneys paid out as authorized under this act.

Sec. 11. Whoever offers or exposes for sale within this State any agricultural seed defined in Section 1 of this act, without complying with the requirements of Sections 2, 3, 4, 5 and 6 of this act, or whoever falsely marks or labels any agricultural seeds under Section 2 of this act, or "mixture" under Section 3 of this act, or whoever shall prevent the Commissioner of Agriculture, or his duly authorized agents, from inspecting said seed and collecting samples as provided in Section 7 of this act, shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars (\$50) for the first offense and not more than two hundred dollars (\$200) for each succeeding offense; provided, however, that no prosecution for violation of this act shall be instituted except in the manner following: When the Commissioner of Agriculture believes, or has reason to believe, that any person has violated any of the provisions of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of this act, he shall cause notices of such fact, together with full specification of this act, or omission constituting the violation, to be given to said person, who either in person or by agent or attorney, shall have the right under such reasonable rules and regulations as may be prescribed by said Commissioner of Agriculture to appear before said Commissioner of Agriculture and introduce evidence, and such hearing shall be private. If, after said hearing or without such hearing, in case said person fails or refuses to appear, said Commissioner

of Agriculture shall decide and decree that any or all of said specifications have been proven to his satisfaction, he may at his discretion so certify to the proper prosecuting law officer for violation of this act, transmitting with said certificate a copy of the specifications and such other evidence as he shall deem necessary and proper, whereupon said prosecuting attorney shall prosecute said person according to law. Venue in cases arising under this act shall be in the county where said seed are sold or offered for sale.

Sec. 12. No action for the recovery of damages or any liability whatsoever for any violation of any of the provisions of this act, or for the breach of any legal duty or obligation in the sale of agricultural seeds defined in Section 1 of this act, or the sale of mixtures defined in Section 3 of this act, shall be maintained by the buyer and against the vendor of such seeds, unless the claim or claims of such buyer are based upon properly drawn samples of such seed from the bulk thereof, and examined in the way and manner provided in Sections 8 and 10 of this act; provided, that none of the provisions of this act shall affect any right accruing prior to the time when this act shall go into effect; providing, that nothing in this act shall be construed as preventing one farmer from selling to another farmer such seed grown on his farm as covered by the provisions of this act without having said seed tested and labeled as provided for herein, when such seed is not advertised in the public press outside of the vendor's home county, and is not shipped by common carrier.

Sec. 13. The result of the analysis and tests of seed made by the Commissioner of Agriculture of samples drawn by him or his inspectors shall be published annually and supplied to any citizen of the State who may request said report. There shall be appropriated annually from the State Treasury the sum of \$..... in favor of the Department of Agriculture, and the same, together with the fees provided for in Section 6 of this act, may be expended in the enforcement of this act. So much of the moneys secured as fees for tests and analysis of seed after first exhausting the moneys secured from the collection of the fees and said appropriation as herein provided for, shall be paid to the Commissioner of Agriculture as he may show by his bills has been expended in performing the duties required by this act.

Sec. 14. The words "persons," "vendor" and "party in interest" and "who-soever," as used in this act shall be construed to impart both the singular and plural, as the case may be, and shall include corporations, companies, societies and individuals.

Sec. 15. If any clause, sentence, paragraph or part of this act shall for any reason be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 16. That Chapter 4 of the Revised Civil Statutes of 1925, be and the same is hereby repealed.

Sec. 17. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Wallace offered the following amendment to the amendment:

Amend House bill No. 343 by adding after the word "agriculture" on line 13, on page 8, Section 13, the following, "and paid into the State Treasury and kept in a special fund and may be paid out upon warrants drawn on said fund, signed by the Commissioner of Agriculture."

The amendment was adopted.

On motion of Mr. Sanders, further consideration of the bill was postponed at this time.

The following proposed amendments by Mr. Purl to House bill No. 343 were ordered printed in the Journal:

(1)

Amend the caption to House bill No. 343 by striking therefrom the following provision, "requiring the filing of representative samples and statement of quality of the seed by seed dealers," and substituting in lieu thereof, "providing that the Commissioner of Agriculture may require the filing of samples by seed dealers."

(2)

Amend House bill No. 343 by striking out subdivision (i) of Section 2 thereof, as same now reads, and substituting in lieu thereof the following, "(i) Correct weight."

(3)

Amend House bill No. 343 by striking out subdivision (j) of Section 2 thereof, and substituting in lieu thereof the following, "(j) Name of State and local-

ity where grown, if known, and if unknown the tag shall be marked accordingly."

(4)

Amend House bill No. 343 by striking out Section 4 of said bill and substituting in lieu thereof as Section 4 of said bill the following language, "and the Commissioner of Agriculture may, within his discretion and for the purpose of carrying out the provisions of this act, require individuals or other classes of merchants to file samples of every lot of agricultural seed sold or offered for sale."

(5)

Amend House bill No. 343 by striking therefrom Section 5 of said bill.

(6)

Amend House bill No. 343 by striking out the words "one-half mill per pound for each pound," in Section 6 thereof, between the word "exceed" and the words "or offered for sale," in line . . on page . . of said bill, and substituting in lieu thereof the words "one cent for each hundred pounds."

(1)

Amend the caption to Senate bill No. 344 by striking therefrom the following provision, "requiring the filing of representative samples and statement of quality of the seed by seed dealers," and substituting in lieu thereof the following, "providing that the Commissioner of Agriculture may require the filing of samples by seed dealers."

(2)

Amend Senate bill No. 344 by striking out subdivision (i) of Section 2 thereof, as same now reads, and substituting in lieu thereof the following, "(i) Correct weight."

(3)

Amend Senate bill No. 344 by striking out subdivision (j) of Section 2 thereof, and substituting in lieu thereof the following, "(j) Name of State and the locality where grown, if known, and if unknown the tag shall be marked accordingly."

(4)

Amend Senate bill No. 344 by striking out Section 4 of said bill and substituting in lieu thereof as Section 4 of said bill the following language, "and the Commissioner of Agriculture may, with-

in his discretion and for the purpose of carrying out the provisions of this act, require individuals or other classes of merchants to file samples of every lot of agricultural seed sold or offered for sale."

(5)

Amend Senate bill No. 344 by striking therefrom Section 5 of said bill.

(6)

Amend Senate bill No. 344 by striking out the words "one-half mill per pound for each pound" in Section 6 thereof, between the word "exceed" and the words "or offered for sale," in line . . . on page . . . of said bill, and substituting in lieu thereof the words "one cent for each hundred pounds."

HOUSE BILL NO. 262 ON SECOND READING.

On motion of Mr. Jones, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 262, A bill to be entitled "An Act to amend Article 1302, Chapter 1, Title 32, of the Revised Statutes of 1925, by adding thereto Section 91, so as to provide for the creation of private corporations for the purpose of owning lands in the water control and improvement districts, water improvement districts, levee improvement districts, drainage districts and all lands susceptible of reclamation by levees, drainage or irrigation, in aid of the development and improvement of lands reclaimed, or to be reclaimed, within such districts, so that such lands may be speedily improved, subdivided, sold and utilized, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Jones offered the following amendment to the bill:

The House of Representatives of Texas in session this February 26, 1929, it is moved from the floor that House bill No. 262 do be amended in the following particular, viz:

1st. By striking from line 9 of page one, the figures "91," and from lines 21 and 23, of page one, the figures "91," and to substitute therefor in each of said places, the figures "91a."

The amendment was adopted.

House bill No. 262 was then passed to engrossment.

HOUSE BILL NO. 262 ON THIRD READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 262 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

| | |
|-------------------|------------------|
| Mr. Speaker. | Lee. |
| Ackerman. | Lemens. |
| Adkins. | Long of Wichita. |
| Albritton. | Loy. |
| Anderson. | Mankin. |
| Barnett. | McCombs. |
| Bateman. | McGill. |
| Beck. | McKean. |
| Bond. | Metcalfe. |
| Bounds. | Minor. |
| Brooks. | Moore. |
| Chastain. | Morse. |
| Coltrin. | Negley. |
| Cox of Navarro. | Nicholson. |
| Cox of Limestone. | Olsen. |
| Davis. | O'Neill. |
| Dunlap. | Palmer. |
| Enderby. | Pavlica. |
| Ewing. | Petsch. |
| Eickenroht. | Pool. |
| Finn. | Pope of Nueces. |
| Finlay. | Purl. |
| Forbes. | Quinn. |
| Fuchs. | Ray. |
| Gates. | Reader. |
| Giles. | Reid. |
| Graves | Renfro. |
| of Williamson. | Richardson. |
| Graves of Erath. | Sanders. |
| Hardy. | Savage. |
| Harman. | Shaver. |
| Harper. | Sherrill. |
| Heaton. | Shipman. |
| Hefley. | Simmons. |
| Holder. | Sinks. |
| Hopkins. | Stephens. |
| Hornaday. | Storey. |
| Hubbard. | Strong. |
| Jenkins. | Tarwater. |
| Johnson | Thurmond. |
| of Dimmit. | Tillotson. |
| Johnson of Smith. | Van Zandt. |
| Jones. | Veatch. |
| Justiss. | Wallace. |
| Kayton. | Warwick. |
| Keeton. | Webb. |
| Keller. | White. |
| Kennedy. | Wiggs. |
| Kincaid. | Williams |
| King. | of Travis. |
| Kinnear. | Woodall. |
| Land. | Young. |

Nays—1.

DeWolfe.

Present—Not Voting.

Brice.

Absent.

| | |
|--------------------|----------------|
| Baker. | Mehl. |
| Baldwin. | Montgomery. |
| Bradley. | Mosely. |
| Carpenter. | Mullally. |
| Conway. | Murphy. |
| Cox of Lamar. | Patterson. |
| Duvall. | Pope of Jones. |
| Gerron. | Prendergast. |
| Gilbert. | Rogers. |
| Harding. | Rountree. |
| Harrison. | Shelton. |
| Hines. | Smith. |
| Hogg. | Snelgrove. |
| Johnson of Scurry. | Speck. |
| Kemble. | Thompson. |
| Kenyon. | Turner. |
| Long of Houston. | Waddell. |
| Martin. | Westbrook. |
| Mauritz. | Williams |
| Maynard. | of Sabine. |
| McDonald. | Woodruff. |

Absent—Excused.

| | |
|------------|------------|
| Acker. | Walters. |
| Avis. | Williams |
| Stevenson. | of Hardin. |

The Speaker then laid House bill No. 262 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

| | |
|-------------------|-------------------|
| Ackerman. | Graves |
| Adkins. | of Williamson. |
| Albritton. | Graves of Erath. |
| Anderson. | Hardy. |
| Barnett. | Harman. |
| Bateman. | Harper. |
| Beck. | Heaton. |
| Bond. | Holder. |
| Bounds. | Hopkins. |
| Brooks. | Hornaday. |
| Chastain. | Hubbard. |
| Coltrin. | Jenkins. |
| Cox of Navarro. | Johnson |
| Cox of Limestone. | of Dimmit. |
| Davis. | Johnson of Smith. |
| Dunlap. | Jones. |
| Enderby. | Justiss. |
| Ewing. | Kayton. |
| Eickenroht. | Keeton. |
| Finn. | Keller. |
| Finlay. | Kennedy. |
| Forbes. | Kincaid. |
| Fuchs. | King. |
| Gates. | Kinnear. |
| Gerron. | Land. |
| Gilbert. | Lee. |
| Giles. | Lemens. |

Long of Wichita.

Loy.

Mankin.

McCombs.

McGill.

McKean.

Metcalf.

Minor.

Moore.

Morse.

Murphy.

Negley.

Nicholson.

Olsen.

O'Neill.

Palmer.

Pavlica.

Petsch.

Pool.

Pope of Nueces.

Purl.

Quinn.

Ray.

Reader.

Reid.

Renfro.

Richardson.

Sanders.

Savage.

Shaver.

Sherrill.

Shipman.

Simmons.

Sinks.

Stephens.

Storey.

Strong.

Tarwater.

Thurmond.

Tillotson.

Van Zandt.

Veatch.

Wallace.

White.

Wiggs.

Williams

of Travis.

Woodall.

Woodruff.

Young.

Nays—1.

DeWolfe.

Present—Not Voting.

Brice.

Absent.

| | |
|--------------------|----------------|
| Baker. | Mehl. |
| Baldwin. | Montgomery. |
| Bradley. | Mosely. |
| Carpenter. | Mullally. |
| Conway. | Patterson. |
| Cox of Lamar. | Pope of Jones. |
| Duvall. | Prendergast. |
| Harding. | Rogers. |
| Harrison. | Rountree. |
| Hefley. | Shelton. |
| Hines. | Smith. |
| Hogg. | Snelgrove. |
| Johnson of Scurry. | Speck. |
| Kemble. | Thompson. |
| Kenyon. | Turner. |
| Long of Houston. | Waddell. |
| Martin. | Warwick. |
| Mauritz. | Westbrook. |
| Maynard. | Williams |
| McDonald. | of Sabine. |

Absent—Excused.

| | |
|------------|------------|
| Acker. | Webb. |
| Avis. | Williams |
| Stevenson. | of Hardin. |
| Walters. | |

HOUSE BILL NO. 496 ON SECOND READING.

On motion of Mr. Gilbert, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 496, A bill to be entitled "An Act providing that there shall be allowed to county judges, clerks of the district and county courts, sheriffs, county treasurers, tax assessors and collectors, books, stationery, blanks, and all office furniture and supplies that may be necessary for a proper administration of their offices."

The Speaker laid the bill before the House and it was read second time.

Mr. Gilbert offered the following amendments to the bill:

(1)

Amend House bill No. 496 in Section 2, line 36, by inserting before the word "district" the word "resident," and in line 37, before the word "district" the word "resident."

(2)

Amend House bill No. 496, by adding at the end of Section 1, the following: "Provided all purchases herein must be approved by commissioners court, and must be made under the provisions of Article 1659, Revised Civil Statutes of Texas, 1925."

The amendments were severally adopted.

House bill No. 496 was then passed to engrossment.

HOUSE BILL NO. 496 ON THIRD READING.

Mr. Gilbert moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 496 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

| | |
|-------------------|------------------|
| Mr. Speaker. | Eickenroht. |
| Ackerman. | Finn. |
| Adkins. | Finlay. |
| Anderson. | Forbes. |
| Barnett. | Fuchs. |
| Bateman. | Gates. |
| Beck. | Gilbert. |
| Bond. | Giles. |
| Bounds. | Graves |
| Brice. | of Williamson. |
| Brooks. | Graves of Erath. |
| Chastain. | Hardy. |
| Coltrin. | Harman. |
| Cox of Navarro. | Harper. |
| Cox of Limestone. | Heaton. |
| DeWolfe. | Hefley. |
| Dunlap. | Holder. |
| Enderby. | Hopkins. |

| | |
|-------------------|-------------|
| Hornaday. | Purl. |
| Hubbard. | Quinn. |
| Jenkins. | Ray. |
| Johnson | Reader. |
| of Dimmit. | Reid. |
| Johnson of Smith. | Renfro. |
| Jones. | Richardson. |
| Justiss. | Sanders. |
| Kayton. | Savage. |
| Keller. | Shaver. |
| King. | Sherrill. |
| Kinnear. | Shipman. |
| Land. | Simmons. |
| Lee. | Sinks. |
| Lemens. | Smith. |
| Loy. | Stephens. |
| Mankin. | Storey. |
| McCombs. | Strong. |
| McGill. | Tarwater. |
| McKean. | Thurmond. |
| Metcalf. | Tillotson. |
| Moore. | Turner. |
| Murphy. | Van Zandt. |
| Negley. | Veatch. |
| Nicholson. | Wallace. |
| Olsen. | White. |
| O'Neill. | Wiggs. |
| Palmer. | Williams |
| Pavlica. | of Travis. |
| Petsch. | Woodruff. |
| Pool. | Young. |
| Pope of Nueces. | |

Nays—3.

| | |
|------------|----------|
| Albritton. | Kennedy. |
| Davis. | |

Present—Not Voting.

Kincaid.

Absent.

| | |
|--------------------|----------------|
| Baker. | McDonald. |
| Baldwin. | Mehl. |
| Bradley. | Minor. |
| Carpenter. | Montgomery. |
| Conway. | Morse. |
| Cox of Lamar. | Mosely. |
| Duvall. | Mullally. |
| Ewing. | Patterson. |
| Gerron. | Pope of Jones. |
| Harding. | Prendergast. |
| Harrison. | Rogers. |
| Hines. | Rountree. |
| Hogg. | Shelton. |
| Johnson of Scurry. | Snelgrove. |
| Keeton. | Speck. |
| Kemble. | Thompson. |
| Kenyon. | Waddell. |
| Long of Houston. | Warwick. |
| Long of Wichita. | Westbrook. |
| Martin. | Williams |
| Mauritz. | of Sabine. |
| Maynard. | Woodall. |

Absent—Excused.

| | |
|--------|-------|
| Acker. | Avis. |
|--------|-------|

Stevenson.
Walters.
Webb.

Williams
of Hardin.

The Speaker then laid House bill No. 496 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

| | |
|-------------------|------------------|
| Mr. Speaker. | Lemens. |
| Adkins. | Long of Wichita. |
| Albritton. | Loy. |
| Anderson. | Mankin. |
| Barnett. | McCombs. |
| Bateman. | McGill. |
| Beck. | McKean. |
| Bond. | Metcalfe. |
| Bounds. | Moore. |
| Bradley. | Morse. |
| Brice. | Murphy. |
| Brooks. | Negley. |
| Chastain. | Nicholson. |
| Coltrin. | Olsen. |
| Cox of Navarro. | O'Neill. |
| Cox of Limestone. | Palmer. |
| DeWolfe. | Pavlica. |
| Dunlap. | Petsch. |
| Enderby. | Pope of Nueces. |
| Eickenroht. | Purl. |
| Finn. | Quinn. |
| Finlay. | Ray. |
| Forbes. | Reader. |
| Fuchs. | Reid. |
| Gates. | Renfro. |
| Gerron. | Richardson. |
| Gilbert. | Sanders. |
| Giles. | Savage. |
| Graves. | Shaver. |
| of Williamson. | Sherrill. |
| Graves of Erath. | Shipman. |
| Hardy. | Simmons. |
| Harman. | Sinks. |
| Harper. | Smith. |
| Heaton. | Stephens. |
| Hefley. | Stevenson. |
| Holder. | Storey. |
| Hopkins. | Strong. |
| Hornaday. | Tarwater. |
| Hubbard. | Thurmond. |
| Johnson. | Tillotson. |
| of Dimmit. | Turner. |
| Johnson of Smith. | Van Zandt. |
| Jones. | Veatch. |
| Justiss. | Warwick. |
| Kayton. | White. |
| Keller. | Wiggs. |
| Kennedy. | Williams. |
| Kincaid. | of Travis. |
| King. | Woodall. |
| Kinnear. | Woodruff. |
| Land. | Young. |
| Lee. | |

Nays—1.

Davis.

Absent.

| | |
|--------------------|----------------|
| Ackerman. | Maynard. |
| Baker. | McDonald. |
| Baldwin. | Mehl. |
| Carpenter. | Montgomery. |
| Conway. | Mosely. |
| Cox of Lamar. | Mullally. |
| Duvall. | Patterson. |
| Ewing. | Pool. |
| Harding. | Pope of Jones. |
| Harrison. | Prendergast. |
| Hines. | Rogers. |
| Hogg. | Rountree. |
| Jenkins. | Shelton. |
| Johnson of Scurry. | Snelgrove. |
| Keeton. | Speck. |
| Kemble. | Thompson. |
| Kenyon. | Waddell. |
| Long of Houston. | Westbrook. |
| Martin. | Williams. |
| Mauritz. | of Sabine. |

Absent—Excused.

| | |
|----------|------------|
| Acker. | Walters. |
| Avis. | Webb. |
| Minor. | Williams. |
| Wallace. | of Hardin. |

Mr. Chastain moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m., and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

(Mr. Johnson of Dimmit in the chair.)

RELATING TO AGRICULTURAL EXTENSION WORK.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 33, Assent of the State of Texas to Capper-Ketchum Act.

Whereas, The Congress of the United States has passed an act approved by the President, May 22, 1928, entitled, "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An Act donating public lands of the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary there-

to, and the United States Department of Agriculture," and,

Whereas, It is provided in Section 1 of the act aforesaid, that the grants of money authorized by this act shall be paid annually "to each State which shall by action of its Legislature assent to the provisions of this act," therefore, be it

Resolved by the Senate, the House of Representatives concurring. That the assent of the Legislature of the State of Texas be and is hereby given to the provisions of the requirements of said act and that the treasurer of the Agricultural and Mechanical College of Texas or other fiscal agency as may be directed by the board of directors of said college be and he is hereby authorized and empowered to receive the grants of money appropriated under said act and said board is hereby empowered to authorize and conduct agricultural extension work, which shall be carried on in connection with the Agricultural and Mechanical College of Texas in accordance with the terms and conditions expressed in the act of Congress aforesaid.

The resolution was read second time and was adopted.

(Speaker in the chair.)

HOUSE BILL NO. 528 ON SECOND READING.

On motion of Mr. Finn, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 528, A bill to be entitled "An Act amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than 200 population shall be changed without the consent of the commissioners court of the county wherein said town or city is situated."

The Speaker laid the bill before the House and it was read second time.

Mr. Murphy offered the following (committee) amendment to the bill:

Amend House bill No. 528 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Whenever any existing location of any State highway in or through any city or town of 200 inhabitants or more is changed by the

Highway Commission, on which existing highway county or road district funds have been used in its construction or improvement, then the Highway Commission is directed to maintain, in reasonably good condition, that portion of such highway in said city or town as may be changed, if requested to do so by the county commissioners court of said county; or the Highway Commission may designate and construct a highway from such new location to the improved or business section of such city or town adequate to the needs and situation of the people of such city or town as may be mutually agreed upon by the Highway Commission and the commissioners court of said county to the end that local trade centers and the people tributary thereto may be served by the system of State highways.

"Sec. 2. The fact that there is now no statute governing the matter of the change of location in existing highways to safeguard the interests of localities, towns and cities, creates an emergency and an imperative public necessity that the rule requiring that bills be read on three several days be and the same is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted."

Mr. Barnett moved the previous question on the pending amendment and the bill, and the motion was not seconded.

(Mr. Hornaday in the chair.)

Mr. DeWolfe moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 528, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

(Speaker in the chair.)

Mr. Kemble moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—32.

Beck.
Bradley.
Chastain.

Forbes.
Gilbert.
Harrison.

| | |
|--------------------|----------------|
| Hubbard. | Petsch. |
| Johnson | Pool. |
| of Dimmit. | Pope of Jones. |
| Johnson of Scurry. | Richardson. |
| Kayton. | Shaver. |
| Keeton. | Simmons. |
| Kincaid. | Tillotson. |
| Land. | Turner. |
| Mauritz. | Van Zandt. |
| McGill. | Waddell. |
| Mehl. | Williams |
| Morse. | of Sabine. |
| Murphy. | Williams |
| Negley. | of Travis. |
| O'Neill. | |

Nays—82.

| | |
|-------------------|------------------|
| Ackerman. | Kinnear. |
| Adkins. | Lee. |
| Albritton. | Lemens. |
| Barnett. | Long of Houston. |
| Bateman. | Long of Wichita. |
| Bond. | Loy. |
| Bounds. | Martin. |
| Brice. | McCombs. |
| Brooks. | McKean. |
| Coltrin. | Metcalfe. |
| Cox of Navarro. | Minor. |
| Cox of Lamar. | Moore. |
| Cox of Limestone. | Mullally. |
| Davis. | Nicholson. |
| DeWolfe. | Olsen. |
| Duvall. | Palmer. |
| Enderby. | Pavlica. |
| Eickenroht. | Pope of Nueces. |
| Finn. | Quinn. |
| Finlay. | Ray. |
| Fuchs. | Reader. |
| Gates. | Reid. |
| Gerron. | Renfro. |
| Giles. | Rogers. |
| Graves | Sanders. |
| of Williamson. | Savage. |
| Graves of Erath. | Sherrill. |
| Hardy. | Shipman. |
| Harman. | Smith. |
| Harper. | Snelgrove. |
| Heaton. | Stephens. |
| Hefley. | Stevenson. |
| Holder. | Storey. |
| Hopkins. | Strong. |
| Hornaday. | Tarwater. |
| Jenkins. | Thurmond. |
| Johnson of Smith. | Veatch. |
| Justiss. | Warwick. |
| Keller. | White. |
| Kemble. | Woodall. |
| Kennedy. | Young. |
| King. | |

Absent.

| | |
|-----------|------------|
| Acker. | Carpenter. |
| Anderson. | Conway. |
| Baker. | Dunlap. |
| Baldwin. | Ewing. |

| | |
|-------------|--------------|
| Harding. | Prendergast. |
| Hines. | Purl. |
| Hogg. | Rountree. |
| Jones. | Shelton. |
| Kenyon. | Sinks. |
| Mankin. | Speck. |
| Maynard. | Thompson. |
| McDonald. | Westbrook. |
| Montgomery. | Wiggs. |
| Mosely. | Woodruff. |
| Patterson. | |

Absent—Excused.

| | |
|----------|------------|
| Avis. | Webb. |
| Wallace. | Williams |
| Walters. | of Hardin. |

Mr. Holder moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Tillotson moved to reconsider the vote by which the previous question was ordered on the engrossment of the bill.

Yeas and nays were demanded, and the motion to reconsider was lost by the following vote:

Yeas—28.

| | |
|-------------------|----------------|
| Baldwin. | McGill. |
| Beck. | Mehl. |
| Cox of Limestone. | Morse. |
| Forbes. | Negley. |
| Fuchs. | O'Neill. |
| Hardy. | Petsch. |
| Hornaday. | Pope of Jones. |
| Hubbard. | Richardson. |
| Jenkins. | Savage. |
| Johnson | Simmons. |
| of Dimmit. | Tarwater. |
| Kayton. | Tillotson. |
| Kemble. | Waddell. |
| Kincaid. | Williams |
| McCombs. | of Sabine. |

Nays—81.

| | |
|-----------------|-------------------|
| Ackerman. | Eickenroht. |
| Adkins. | Finn. |
| Albritton. | Finlay. |
| Barnett. | Gates. |
| Bateman. | Gerron. |
| Bond. | Gilbert. |
| Bradley. | Giles. |
| Brice. | Graves |
| Brooks. | of Williamson. |
| Chastain. | Graves of Erath. |
| Coltrin. | Harman. |
| Conway. | Harper. |
| Cox of Navarro. | Harrison. |
| Cox of Lamar. | Heaton. |
| Davis. | Hefley. |
| DeWolfe. | Holder. |
| Duvall. | Hopkins. |
| Enderby. | Johnson of Smith. |

| | |
|--------------------|------------|
| Johnson of Scurry. | Reader. |
| Jones. | Reid. |
| Justiss. | Renfro. |
| Keeton. | Rogers. |
| Kennedy. | Sanders. |
| King. | Shaver. |
| Land. | Sherrill. |
| Lee. | Shipman. |
| Lemens. | Smith. |
| Long of Houston. | Snelgrove. |
| Long of Wichita. | Stephens. |
| Loy. | Stevenson. |
| Mankin. | Storey. |
| Mauritz. | Strong. |
| McKean. | Thurmond. |
| Metcalfe. | Van Zandt. |
| Moore. | Veatch. |
| Mullally. | Warwick. |
| Olsen. | White. |
| Palmer. | Williams |
| Pavlica. | of Travis. |
| Pope of Nueces. | Woodall. |
| Purl. | Young. |
| Ray. | |

Present—Not Voting.

Quinn.

Absent.

| | |
|------------|--------------|
| Anderson. | Montgomery. |
| Baker. | Mosely. |
| Bounds. | Nicholson. |
| Carpenter. | Patterson. |
| Dunlap. | Pool. |
| Ewing. | Prendergast. |
| Harding. | Rountree. |
| Hines. | Shelton. |
| Hogg. | Sinks. |
| Keller. | Speck. |
| Kenyon. | Thompson. |
| Kinnear. | Turner. |
| Martin. | Westbrook. |
| Maynard. | Wiggs. |
| McDonald. | Woodruff. |

Absent—Excused.

| | |
|----------|------------|
| Acker. | Walters. |
| Avis. | Webb. |
| Minor. | Williams |
| Murphy. | of Hardin. |
| Wallace. | |

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 528 was then passed to engrossment by the following vote:

Yeas—99.

| | |
|------------|-----------|
| Ackerman. | Bounds. |
| Adkins. | Bradley. |
| Albritton. | Brice. |
| Anderson. | Brooks. |
| Barnett. | Chastain. |
| Bateman. | Coltrin. |
| Bond. | Conway. |

| | |
|--------------------|------------------|
| Cox of Navarro. | Long of Wichita. |
| Cox of Lamar. | Loy. |
| Cox of Limestone. | Mankin. |
| Davis. | McCombs. |
| DeWolfe. | McGill. |
| Dunlap. | McKean. |
| Duvall. | Mehl. |
| Enderby. | Minor. |
| Eickenroht. | Moore. |
| Finn. | Mullally. |
| Finlay. | Olsen. |
| Forbes. | O'Neill. |
| Fuchs. | Palmer. |
| Gates. | Pavlica. |
| Gerron. | Pope of Jones. |
| Giles. | Pope of Nueces. |
| Graves | Purl. |
| of Williamson. | Quinn. |
| Graves of Erath. | Ray. |
| Hardy. | Reader. |
| Harman. | Reid. |
| Harper. | Renfro. |
| Heaton. | Richardson. |
| Hefley. | Rogers. |
| Holder. | Sanders. |
| Hopkins. | Savage. |
| Hornaday. | Sherrill. |
| Jenkins. | Shipman. |
| Johnson of Smith. | Sinks. |
| Johnson of Scurry. | Smith. |
| Jones. | Snelgrove. |
| Justiss. | Stephens. |
| Kayton. | Stevenson. |
| Keeton. | Storey. |
| Keller. | Strong. |
| Kennedy. | Tarwater. |
| Kincaid. | Thurmond. |
| King. | Turner. |
| Kinnear. | Veatch. |
| Land. | Warwick. |
| Lee. | White. |
| Lemens. | Woodall. |
| Long of Houston. | Young. |

Nays—17.

| | |
|------------|------------|
| Baldwin. | Morse. |
| Beck. | Murphy. |
| Gilbert. | Petsch. |
| Harrison. | Shaver. |
| Hubbard. | Simmons. |
| Johnson | Van Zandt. |
| of Dimmit. | Waddell. |
| Kemble. | Williams |
| Mauritz. | of Sabine. |
| Metcalfe. | |

Present—Not Voting.

Williams of Travis.

Absent.

| | |
|------------|-----------|
| Baker. | Hogg. |
| Carpenter. | Kenyon. |
| Ewing. | Martin. |
| Harding. | Maynard. |
| Hines. | McDonald. |

| | |
|--------------|------------|
| Montgomery. | Shelton. |
| Mosely. | Speck. |
| Negley. | Thompson. |
| Nicholson. | Tillotson. |
| Patterson. | Westbrook. |
| Pool. | Wiggs. |
| Prendergast. | Woodruff. |
| Rountree. | |

Absent—Excused.

| | |
|----------|------------|
| Acker. | Webb. |
| Avis. | Williams |
| Wallace. | of Hardin. |
| Walters. | |

HOUSE BILL NO. 528 ON THIRD READING.

Mr. Woodall moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 528 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

| | |
|-------------------|--------------------|
| Ackerman. | Johnson of Scurry. |
| Adkins. | Jones. |
| Albritton. | Justiss. |
| Anderson. | Keeton. |
| Barnett. | Keller. |
| Bateman. | Kennedy. |
| Bond. | Kincaid. |
| Bounds. | King. |
| Bradley. | Kinnear. |
| Brice. | Land. |
| Brooks. | Lee. |
| Chastain. | Lemens. |
| Coltrin. | Long of Houston. |
| Conway. | Long of Wichita. |
| Cox of Lamar. | Loy. |
| Davis. | Mankin. |
| DeWolfe. | McGill. |
| Dunlap. | McKean. |
| Duvall. | Mehl. |
| Enderby. | Metcalfe. |
| Finn. | Minor. |
| Finlay. | Moore. |
| Fuchs. | Mullally. |
| Gates. | Olsen. |
| Gerron. | O'Neill. |
| Giles. | Palmer. |
| Graves | Pavlica. |
| of Williamson. | Pope of Jones. |
| Graves of Erath. | Pope of Nueces. |
| Hardy. | Purl. |
| Harman. | Quinn. |
| Harper. | Ray. |
| Heaton. | Reader. |
| Hefley. | Reid. |
| Holder. | Renfro. |
| Hopkins. | Richardson. |
| Hornaday. | Rogers. |
| Jenkins. | Sanders. |
| Johnson of Smith. | Savage. |

| | |
|------------|------------|
| Shaver. | Tarwater. |
| Sherrill. | Thurmond. |
| Shipman. | Tillotson. |
| Sinks. | Turner. |
| Smith. | Veatch. |
| Snelgrove. | Warwick. |
| Stephens. | White. |
| Stevenson. | Woodall. |
| Storey. | Young. |
| Strong. | |

Nays—20.

| | |
|-------------|------------|
| Baldwin. | Morse. |
| Beck. | Murphy. |
| Eickenroht. | Negley. |
| Gilbert. | Petsch. |
| Harrison. | Simmons. |
| Hubbard. | Van Zandt. |
| Johnson | Waddell. |
| of Dimmit. | Williams |
| Kayton. | of Sabine. |
| Kemble. | Williams |
| Mauritz. | of Travis. |
| McCombs. | |

Present—Not Voting.

Cox of Limestone.

Absent.

| | |
|-----------------|--------------|
| Baker. | Mosely. |
| Carpenter. | Nicholson. |
| Cox of Navarro. | Patterson. |
| Ewing. | Pool. |
| Forbes. | Prendergast. |
| Harding. | Rountree. |
| Hines. | Shelton. |
| Hogg. | Speck. |
| Kenyon. | Thompson. |
| Martin. | Westbrook. |
| Maynard. | Wiggs. |
| McDonald. | Woodruff. |
| Montgomery. | |

Absent—Excused.

| | |
|----------|------------|
| Acker. | Webb. |
| Avis. | Williams |
| Wallace. | of Hardin. |
| Walters. | |

The Speaker then laid House bill No. 528 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

| | |
|------------|-------------------|
| Ackerman. | Brice. |
| Adkins. | Brooks. |
| Albritton. | Chastain. |
| Anderson. | Coltrin. |
| Barnett. | Conway. |
| Bateman. | Cox of Navarro. |
| Bond. | Cox of Lamar. |
| Bounds. | Cox of Limestone. |
| Bradley. | Davis. |

| | |
|--------------------|-----------------|
| DeWolfe. | Mehl. |
| Dunlap. | Minor. |
| Duvall. | Moore. |
| Enderby. | Mullally. |
| Eickenroht. | Negley. |
| Finn. | Nicholson. |
| Finlay. | Olsen. |
| Forbes. | O'Neill. |
| Fuchs. | Palmer. |
| Gates. | Pavlica. |
| Gerron. | Pope of Jones. |
| Giles. | Pope of Nueces. |
| Graves | Purl. |
| of Williamson. | Quinn. |
| Graves of Erath. | Ray. |
| Hardy. | Reader. |
| Harman. | Reid. |
| Harper. | Renfro. |
| Heaton. | Richardson. |
| Hefley. | Rogers. |
| Holder. | Sanders. |
| Hopkins. | Savage. |
| Hornaday. | Shaver. |
| Jenkins. | Sherrill. |
| Johnson of Smith. | Shipman. |
| Johnson of Scurry. | Simmons. |
| Jones. | Sinks. |
| Justiss. | Smith. |
| Kayton. | Snelgrove. |
| Keeton. | Stephens. |
| Keller. | Stevenson. |
| Kennedy. | Storey. |
| Kincaid. | Strong. |
| King. | Tarwater. |
| Kinnear. | Thurmond. |
| Land. | Turner. |
| Lee. | Veatch. |
| Lemens. | Warwick. |
| Long of Houston. | White. |
| Long of Wichita. | Williams |
| Loy. | of Sabine. |
| Mankin. | Williams |
| McCombs. | of Travis. |
| McGill. | Woodall. |
| McKean. | Young. |

Nays—13.

| | |
|------------|------------|
| Baldwin. | Mauritz. |
| Beck. | Metcalfe. |
| Gilbert. | Morse. |
| Harrison. | Murphy. |
| Johnson | Petsch. |
| of Dimmit. | Van Zandt. |
| Kemble. | Waddell. |

Present—Not Voting.

Hubbard.

Absent.

| | |
|------------|-------------|
| Baker. | Martin. |
| Carpenter. | Maynard. |
| Ewing. | McDonald. |
| Harding. | Montgomery. |
| Hines. | Mosely. |
| Hogg. | Patterson. |
| Kenyon. | Pool. |

| | |
|--------------|------------|
| Prendergast. | Tillotson. |
| Rountree. | Westbrook. |
| Shelton. | Wiggs. |
| Speck. | Woodruff. |
| Thompson. | |

Absent—Excused.

| | |
|----------|------------|
| Acker. | Webb. |
| Avis. | Williams |
| Wallace. | of Hardin. |
| Walters. | |

Mr. Woodall moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 503 ON SECOND READING.

On motion of Mr. Shaver, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 503, A bill to be entitled "An Act authorizing the board of normal regents of the Texas State Teachers Colleges to make contracts for the erection of dormitories, to purchase or lease lands and other appurtenances for dormitories."

The Speaker laid the bill before the House and it was read second time.

Mr. Shaver offered the following amendment to the bill:

Amend House bill No. 503 by striking out the word "normal" wherever it appears in the body of the bill and in the caption.

The amendment was adopted.

House bill No. 503 was then passed to engrossment.

HOUSE BILL NO. 503 ON THIRD READING.

Mr. Shaver moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 503 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

| | |
|------------|-------------------|
| Adkins. | Brooks. |
| Albritton. | Chastain. |
| Anderson. | Coltrin. |
| Baldwin. | Conway. |
| Barnett. | Cox of Navarro. |
| Beck. | Cox of Lamar. |
| Bond. | Cox of Limestone. |
| Bounds. | Davis. |
| Bradley. | DeWolfe. |

| | |
|-------------------|-----------------|
| Dunlap. | Minor. |
| Enderby. | Montgomery. |
| Eickenroht. | Moore. |
| Finn. | Morse. |
| Finlay. | Mullally. |
| Forbes. | Negley. |
| Fuchs. | O'Neill. |
| Gates. | Palmer. |
| Gerron. | Pavlica. |
| Gilbert. | Petsch. |
| Giles. | Pope of Jones. |
| Graves | Pope of Nueces. |
| of Williamson. | Quinn. |
| Graves of Erath. | Ray. |
| Hardy. | Reader. |
| Harper. | Reid. |
| Harrison. | Richardson. |
| Heaton. | Rogers. |
| Hefley. | Sanders. |
| Holder. | Savage. |
| Hornaday. | Shaver. |
| Hubbard. | Shipman. |
| Johnson | Simmons. |
| of Dimmit. | Sinks. |
| Johnson of Smith. | Snelgrove. |
| Jones. | Stephens. |
| Justiss. | Stevenson. |
| Kayton. | Storey. |
| Keller. | Strong. |
| Kemble. | Tarwater. |
| Kincaid. | Thurmond. |
| King. | Tillotson. |
| Kinnear. | Turner. |
| Land. | Van Zandt. |
| Lee. | Veatch. |
| Lemens. | Waddell. |
| Long of Houston. | Warwick. |
| Long of Wichita. | White. |
| Loy. | Williams |
| McCombs. | of Sabine. |
| McGill. | Williams |
| McKean. | of Travis. |
| Mehl. | Woodall. |
| Metcalfe. | Young. |

Present—Not Voting.

Brice.

Absent.

| | |
|--------------------|--------------|
| Ackerman. | Martin. |
| Baker. | Mauritz. |
| Bateman. | Maynard. |
| Carpenter. | McDonald. |
| Duvall. | Mosely. |
| Ewing. | Murphy. |
| Harding. | Nicholson. |
| Harman. | Olsen. |
| Hines. | Patterson. |
| Hogg. | Pool. |
| Hopkins. | Prendergast. |
| Jenkins. | Purl. |
| Johnson of Scurry. | Renfro. |
| Keeton. | Rountree. |
| Kennedy. | Shelton. |
| Kenyon. | Sherrill. |
| Mankin. | Smith. |

| | |
|------------|-----------|
| Speck. | Wiggs. |
| Thompson. | Woodruff. |
| Westbrook. | |

Absent—Excused.

| | |
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| Acker. | Webb. |
| Avis. | Williams |
| Wallace. | of Hardin. |
| Walters. | |

The Speaker then laid House bill No. 503 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

| | |
|-------------------|------------------|
| Mr. Speaker. | Kinnear. |
| Adkins. | Land. |
| Anderson. | Lee. |
| Barnett. | Lemens. |
| Beck. | Long of Houston. |
| Bond. | Long of Wichita. |
| Bounds. | Loy. |
| Bradley. | McCombs. |
| Brice. | McGill. |
| Brooks. | McKean. |
| Chastain. | Mehl. |
| Coltrin. | Metcalfe. |
| Conway. | Minor. |
| Cox of Navarro. | Montgomery. |
| Cox of Lamar. | Moore. |
| Cox of Limestone. | Morse. |
| Davis. | Mullally. |
| DeWolfe. | Murphy. |
| Dunlap. | Negley. |
| Enderby. | O'Neill. |
| Finn. | Palmer. |
| Finlay. | Pavlica. |
| Forbes. | Petsch. |
| Fuchs. | Pope of Jones. |
| Gates. | Pope of Nueces. |
| Gerron. | Quinn. |
| Gilbert. | Ray. |
| Giles. | Reader. |
| Graves | Reid. |
| of Williamson. | Renfro. |
| Graves of Erath. | Richardson. |
| Hardy. | Rogers. |
| Harper. | Sanders. |
| Harrison. | Savage. |
| Heaton. | Shaver. |
| Hefley. | Sherrill. |
| Hornaday. | Shipman. |
| Hubbard. | Sinks. |
| Johnson | Stephens. |
| of Dimmit. | Stevenson. |
| Johnson of Smith. | Storey. |
| Jones. | Strong. |
| Justiss. | Tarwater. |
| Kayton. | Thurmond. |
| Keller. | Tillotson. |
| Kemble. | Turner. |
| Kennedy. | Veatch. |
| Kincaid. | Waddell. |
| King. | Warwick. |

White.
Williams
of Sabine.

Williams
of Travis.
Woodall.
Young.

Absent.

Ackerman.
Albritton.
Baker.
Baldwin.
Bateman.
Carpenter.
Duvall.
Ewing.
Eickenroht.
Harding.
Harman.
Hines.
Hogg.
Holder.
Hopkins.
Jenkins.
Johnson of Scurry.
Keeton.
Kenyon.
Mankin.
Martin.

Mauritz.
Maynard.
McDonald.
Mosely.
Nicholson.
Olsen.
Patterson.
Pool.
Prendergast.
Purl.
Rountree.
Shelton.
Simmons.
Smith.
Snelgrove.
Speck.
Thompson.
Van Zandt.
Westbrook.
Wiggs.
Woodruff.

Absent—Excused.

Acker.
Avis.
Wallace.
Walters.

Webb.
Williams
of Hardin.

HOUSE BILL NO. 117 ON SECOND READING.

On motion of Mr. Brooks, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 117, A bill to be entitled "An Act regulating the season for taking fur-bearing animals, and regulating the taking of and traffic in hides and skins taken from fur-bearing animals."

The Speaker laid the bill before the House and it was read second time.

Mr. Brooks offered the following (committee) amendment to the bill:

Amend the bill by striking out all above and below the enacting clause and insert in lieu thereof the following:

"A bill to be entitled 'An Act regulating the season for taking fur-bearing animals and regulating the taking of and traffic in hides and skins taken from fur-bearing animals; providing for the propagation thereof; levying license fees and privilege taxes in connection with said business; enacting necessary provisions incidental to said subject and purpose; amending Section 9 of Chapter 177, General Laws, Regular Session of

the Thirty-ninth Legislature, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 9 of Chapter 177, of the General Laws of the Regular Session of the Thirty-ninth Legislature be, and the same is hereby amended so as to hereafter read as follows:

"Section 9. It shall be unlawful for any person to take, sell, offer for sale, buy, offer to buy, or to have in his possession the pelt of any wild fur-bearing animal protected by the laws of this State during the closed season for the taking or possession of such pelt; provided, nothing in this act shall affect the present zone law relating to wild fox, wild beaver and wild otter. The closed season on all wild fur-bearing animals shall be from the first day of February until the thirtieth day of November of the same year, both days inclusive; muskrats excepted, the closed season on which shall be from the sixteenth day of March until the fifteenth day of November of the same year, both days inclusive. Provided, that persons handling hides, skins or pelts of fur-bearing animals shall have ten days immediately following the open season for such pelts in which to dispose of the same. Provided, that any person may keep and have in his possession such pelt or pelts, taken during open season, for his own personal use."

Sec. 2. Any person desiring to raise and propagate any of the fur-bearing animals shall be permitted to take the same for propagation purposes under regulations provided by the Game, Fish and Oyster Commissioner, provided, the animal or the pelts thereof are not sold except during the open season for the taking of same, as provided in Section 1 of this act.

Sec. 3. A buyer of hides and skins is one who buys direct from the trapper, with the intention to sell to another in this State, and who sells to another in this State or who acts as an agent of another in this State in such purchase.

Sec. 4. Buyers are classified and divided into two classes, namely: resident and non-resident. Resident buyers are those who have for a period of twelve months previous to their application for license have been bona fide residents of this State; all others are non-resident buyers.

Sec. 5. A dealer in hides and skins is one who buys from a trapper, either directly or indirectly, and ships and exports from this State either, directly or indirectly, the skins and hides so bought, or buys from a buyer and exports from this State the skins and hides so bought; or buys from either a trapper or buyer and sells such skins and hides for manufacturing into a finished product in this State.

Sec. 6. Dealers are hereby divided into two classes, namely: resident and non-resident. Resident dealers are those who have for a period of twelve months previous to their application for a license been bona fide residents of this State. Texas corporations organized within twelve months prior to the legal open season for trapping shall be considered resident corporations. All others are non-resident dealers. Any person, other than the trapper shipping his own catch, who ships or carries skins and hides of fur-bearing animals out of this State shall be considered a dealer.

Sec. 7. A resident buyer herein defined, before commencing business must procure annually from the Game, Fish and Oyster Commissioner, one of his duly authorized licensed deputies, or county clerk, a buyer's license, which shall be furnished upon the payment of the sum of five (\$5.00) dollars. Said license shall state the name, the residence, age, height, weight, color of hair and eyes of licensee. A fee of twenty-five cents may be retained by the officer issuing and reporting the sale of such license as his commission.

Sec. 8. Any non-resident buyer herein defined before commencing business must procure annually from the Game, Fish and Oyster Commissioner, one of his duly authorized deputies, or a county clerk, a non-resident buyer's license, which shall be furnished upon the payment of the sum of twenty-five (\$25.00) dollars. Said license shall state the name, residence, age, weight, height, color of hair and eyes of licensee. A fee of three (\$3.00) dollars may be retained by the officer issuing and reporting the sale of such license, as his commission.

Sec. 9. Any resident dealer herein defined before commencing business must procure annually from the Game, Fish and Oyster Commissioner, one of his duly authorized deputies, or a county clerk, a resident dealer's license, which shall be furnished upon the payment of the sum of twenty-five (\$25.00) dollars.

Said license shall state the firm name of the dealer, manager's full name, street address, town and county. A fee of three (\$3.00) dollars may be retained by the officer issuing and reporting the sale of the license as his commission.

Sec. 10. Any non-resident dealer herein defined before commencing business, must procure annually from the Game, Fish and Oyster Commissioner, one of his duly authorized deputies, or a county clerk, a non-resident dealer's license which shall be furnished upon the payment of one hundred (\$100.00) dollars. Said license shall state the firm name of the dealer, manager's full name, street address, town, county and state. A fee of five (\$5.00) dollars may be retained by the officer issuing and reporting the sale of such license as his commission.

Sec. 11. That every dealer and buyer as defined in this act must file with the Game, Fish and Oyster Commissioner, not later than the tenth day of each month a complete sworn report on printed forms furnished by the Game, Fish and Oyster Commissioner, of the kind and number of hides and skins purchased in this State, and a sworn report of all such pelts shipped out of this State during the preceding month. Dealers must pay to the Game, Fish and Oyster Commissioner, or pay to one of his duly authorized representatives thereof, the full amount of the tax due on such furs as required by this act; except, that non-resident fur buyers and non-resident dealers must pay the tax provided herein at the time the shipment of such furs are made.

Sec. 12. That there be and is hereby levied a tax on all skins and hides taken from any wild fur-bearing animals which tax shall be paid to the State through the Game, Fish and Oyster Commissioner by dealers herein defined, or by the trapper, shipping his own catch in or out of the State as follows: On wild muskrats, wild opossum, wild polecat, or skunk, wild ring-tail cat, wild civet cat, wild fox, wild badger, one cent on each skin; on wild mink, and wild raccoon, five cents on each skin.

Sec. 13. That all fur-bearing animals protected by law and the skin or pelt taken from such fur-bearing animal are hereby declared to be and to continue to be, the property of the people of this State, until all taxes or charges levied herein are paid, and regulations herein are followed; notwithstanding the grant to take or have the same in possession.

Sec. 14. That the hides and skins shipped from this State, must be so tagged as to show the number and kind of hides in the shipment, consignor, shipping point, consignee and destination. Tags suitable for compliance with this provision must be secured from the Game, Fish and Oyster Commission, by all shippers requiring them for actual shipment. Such tags shall be of a distinctive color, bearing a serial number and entry headings for information as to the character and value of the shipment, consignor, and consignee, and shall be provided with a detachable stub bearing serial number and entry headings as appear on the body of the tag; such stubs must be filled out with a duplicate of information appearing on the body of the tag and be forwarded or delivered to the Game, Fish and Oyster Commission within ten days of the time of making such shipment.

Sec. 15. Every resident dealer, every buyer of a non-resident dealer and every trapper before shipping hides or skins covered by this act, must secure from the Game, Fish and Oyster Commissioner, a tag or tags to be attached to such shipment or shipments. Such tags shall be of a distinctive color, bear a serial number and entry headings for information as to the character and value of these shipments, consignor and consignee, and shall be provided with a detachable stub which stub shall bear the same serial number and entry headings as appear on the body of the tag. Such stub must be filled out with a duplicate of information appearing on the body of the tag and be forwarded or delivered to the Game, Fish and Oyster Commission within ten days of the time of making such shipment.

Sec. 16. It shall be a violation of this act, for any person, firm, corporation or association, to ship or carry from this State, any skin or hide of any fur-bearing animal on which the said tax is due, without the said tax being paid to the Game, Fish and Oyster Commissioner as provided in Section 12 of this act.

Sec. 17. No hides or skins covered by this act intended for shipment shall be accepted by any postoffice, express agents, unless there is attached to every package comprising such shipment one of the tags hereinbefore specified.

Sec. 18. All monies collected from the taxes, licenses, fines and penalties for the violation of this act, shall belong to the Special Game Fund of this

State, and shall be paid over by the Game, Fish and Oyster Commissioner to the Treasurer of this State, during the first week of each month, and shall be credited to the Special Game Fund of this State, and for the enforcement of the provisions of this act and the game laws in general.

Sec. 19. The date of collecting of taxes on all wild fur-bearing animals herein fixed, shall become effective on such pelts taken on and after the first day of December, 1929.

Sec. 20. Every person, firm, or corporation, violating any of the provisions of this act, shall upon conviction be punished by fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and shall forfeit his license privilege for a period of twelve months after conviction.

Sec. 21. If any section of this act shall be held unconstitutional it shall not affect any other section of this act, and all sections save the one that may be declared unconstitutional shall continue to be in full force and effect.

Sec. 22. The fact that there is no adequate law regulating and protecting the fur industry of this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended and said rule is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted.

The amendment was adopted.

House bill No. 117 was then passed to engrossment.

HOUSE BILL NO. 117 ON THIRD READING.

Mr. Brooks moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 117 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.
Ackerman.
Adkins.
Anderson.
Barnett.
Bateman.
Beck.
Bond.
Bounds.
Bradley.
Brooks.

Chastain.
Coltrin.
Conway.
Cox of Navarro.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Duvall.
Enderby.

| | |
|-------------------|----------------|
| Finn. | Mullally. |
| Finlay. | Murphy. |
| Forbes. | Negley. |
| Fuchs. | O'Neill. |
| Gerron. | Palmer. |
| Gilbert. | Petsch. |
| Graves | Pool. |
| of Williamson. | Pope of Jones. |
| Graves of Erath. | Purl. |
| Hardy. | Quinn. |
| Harman. | Ray. |
| Harper. | Reader. |
| Harrison. | Reid. |
| Heaton. | Renfro. |
| Hefley. | Richardson. |
| Holder. | Rogers. |
| Hopkins. | Sanders. |
| Hornaday. | Savage. |
| Hubbard. | Shaver. |
| Johnson | Sherrill. |
| of Dimmit. | Simmons. |
| Johnson of Smith. | Sinks. |
| Jones. | Snelgrove. |
| Justiss. | Stephens. |
| Keller. | Stevenson. |
| Kincaid. | Storey. |
| King. | Strong. |
| Kinnear. | Tarwater. |
| Land. | Thurmond. |
| Lee. | Tillotson. |
| Long of Houston. | Turner. |
| Loy. | Van Zandt. |
| Mankin. | Veatch. |
| Mauritz. | Warwick. |
| McCombs. | White. |
| McGill. | Williams |
| McKean. | of Sabine. |
| Mehl. | Williams |
| Metcalfe. | of Travis. |
| Minor. | Woodall. |
| Moore. | Young. |

Nays—6.

| | |
|------------|------------------|
| Albritton. | Long of Wichita. |
| Brice. | Pavlica. |
| Kennedy. | Shipman. |

Absent.

| | |
|--------------------|-----------------|
| Baker. | Martin. |
| Baldwin. | Maynard. |
| Carpenter. | McDonald. |
| Ewing. | Montgomery. |
| Eickenroht. | Morse. |
| Gates. | Mosely. |
| Giles. | Nicholson. |
| Harding. | Olsen. |
| Hines. | Patterson. |
| Hogg. | Pope of Nueces. |
| Jenkins. | Prendergast. |
| Johnson of Scurry. | Rountree. |
| Kayton. | Shelton. |
| Keeton. | Smith. |
| Kemble. | Speck. |
| Kenyon. | Thompson. |
| Lemens. | Waddell. |

| | |
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| Westbrook. | Woodruff. |
| Wiggs. | Absent—Excused. |

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| Acker. | Webb. |
| Avis. | Williams |
| Wallace. | of Hardin. |
| Walters. | |

The Speaker then laid House bill No. 117 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—90.

| | |
|-------------------|------------------|
| Mr. Speaker. | Lee. |
| Ackerman. | Long of Houston. |
| Adkins. | Loy. |
| Anderson. | Mankin. |
| Bateman. | Mauritz. |
| Beck. | McGill. |
| Bond. | McKean. |
| Bounds. | Mehl. |
| Bradley. | Metcalfe. |
| Brooks. | Minor. |
| Chastain. | Moore. |
| Coltrin. | Mullally. |
| Conway. | Negley. |
| Cox of Navarro. | O'Neill. |
| Cox of Lamar. | Palmer. |
| Cox of Limestone. | Petsch. |
| Davis. | Purl. |
| Dunlap. | Quinn. |
| Duvall. | Ray. |
| Enderby. | Reader. |
| Finn. | Reid. |
| Finlay. | Renfro. |
| Forbes. | Rogers. |
| Fuchs. | Sanders. |
| Gerron. | Savage. |
| Gilbert. | Shaver. |
| Graves | Sherrill. |
| of Williamson. | Simmons. |
| Graves of Erath. | Sinks. |
| Hardy. | Stephens. |
| Harper. | Stevenson. |
| Harrison. | Strong. |
| Heaton. | Tarwater. |
| Hefley. | Thurmond. |
| Holder. | Tillotson. |
| Hopkins. | Turner. |
| Hornaday. | Van Zandt. |
| Hubbard. | Veatch. |
| Johnson | Waddell. |
| of Dimmit. | Warwick. |
| Johnson of Smith. | White. |
| Jones. | Williams |
| Justiss. | of Sabine. |
| Keller. | Williams |
| King. | of Travis. |
| Kinnear. | Woodall. |
| Land. | Young. |

Nays—8.

| | |
|------------|----------|
| Albritton. | Brice. |
| Barnett. | DeWolfe. |

Long of Wichita. Shipman.
Pavlica. Snelgrove.

Present—Not Voting.

Kennedy. Kincaid.

Absent.

| | |
|--------------------|-----------------|
| Baker. | Montgomery. |
| Baldwin. | Morse. |
| Carpenter. | Mosely. |
| Ewing. | Murphy. |
| Eickenroht. | Nicholson. |
| Gates. | Olsen. |
| Giles. | Patterson. |
| Harding. | Pool. |
| Harman. | Pope of Jones. |
| Hines. | Pope of Nueces. |
| Hogg. | Prendergast. |
| Jenkins. | Richardson. |
| Johnson of Scurry. | Rountree. |
| Kayton. | Shelton. |
| Keeton. | Smith. |
| Kemble. | Speck. |
| Kenyon. | Storey. |
| Lemens. | Thompson. |
| Martin. | Westbrook. |
| Maynard. | Wiggs. |
| McCombs. | Woodruff. |
| McDonald. | |

Absent—Excused.

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| Acker. | Webb. |
| Avis. | Williams |
| Wallace. | of Hardin. |
| Walters. | |

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendment to Senate concurrent resolution No. 19 by a viva voce vote. The following are appointed as a committee from the Senate:

Lieutenant Governor Barry Miller;
Senators Woodward, Pollard, Small,
Woodul, Williamson.

Has passed

S. C. R. No. 33, Providing for the carrying on of agricultural extension work by Agricultural and Mechanical College.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

COMMITTEE SUBSTITUTE ORDERED PRINTED.

On motion of Mr. McCombs, the committee substitute to House bill No. 600

was ordered printed instead of the original bill.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 22, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered vote by which House bill No. 413 was passed finally, and has passed finally by a vote of 29 yeas and 0 nays.

Has passed:

H. B. No. 681, A bill to be entitled "An Act creating a special road law for Karnes county, Texas, requiring surety bonds of road overseers, containing a provision that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1929, setting forth the method of said operation."

H. B. No. 686, A bill to be entitled "An Act authorizing the commissioners court of Hutchinson county to employ not more than two persons to be known as investigators to assist the district attorney in the investigation and prosecution of crime and in the discharge of his official duties; providing for their deputation, salaries and necessary expense and mode of discharge, and prescribing their duties."

H. C. R. No. 27, Providing for the recalling of Senate bill No. 114 from the Governor's office for further consideration.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 153, "An Act authorizing the creation of corporations for the purpose of compiling and acquiring and owning abstract plants in this or any other State, and to compile and sell abstracts of titles therefrom and to insure the title to lands and interest therein and liens thereon, and authorizing such corporations to accumulate and lend money, to deal in securities, and to act as trustee, receiver, executor, administrator and guardian."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 22, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed the following:

S. B. No. 504, A bill to be entitled
"An Act amending Article 3107 of the
Revised Civil Statutes of Texas as
amended at the First Called Session of
the Fortieth Legislature, Chapter 67
of the Acts of the First Called Session
of the said Fortieth Legislature, so as
to provide that political parties shall
have power to prescribe qualifications
of its own members and determine who
shall be qualified to vote or otherwise
participate in such political party,
either as a voter or a candidate, and
declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Tillotson, the House,
at 10:50 o'clock p. m., took recess to
9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today
filed favorable reports on bills as fol-
lows:

Highways and Motor Traffic: Senate
bill No. 440.

Education: House bills Nos. 238 and
734; Senate bills Nos. 407, 451, 536, 113
and 520.

Judiciary: House bill No. 650.

Privileges, Suffrage and Elections:
Senate bill No. 335.

Municipal and Private Corporations:
Senate bill No. 581; House bill No. 697.

Conservation and Reclamation: House
bill No. 735.

Common Carriers: House bill No.
732.

Agriculture: Senate bills Nos. 86,
482 and 511; House bill No. 731.

Judicial Districts: House bills Nos.
737 and 705.

State Affairs: Senate bills Nos. 349,
364, 508, 315 and 468.

Counties: House bill No. 736.

REPORTS OF THE COMMITTEE ON
ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 25, 1929

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 594, A bill to be entitled
"An Act granting to the city of Austin
the north half of block ninety-four (94)
in said city, and authorizing the Col-
ored Methodist Episcopal Church of
Austin, known as the Wesley Chapel, to
convey or sell same to said city, and
declaring an emergency,"

Has carefully compared same and
find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 157, A bill to be entitled
"An Act to amend Chapter 155, page
366, Section 1, Acts of the Thirty-ninth
Legislature, 1925, so as to grant to all
incorporated cities and towns the banks,
beds and channels and the abandoned
banks, beds and channels of all rivers,
streams and other channels within their
corporate limits,"

Has carefully compared same and
find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 723, A bill to be entitled
"An Act authorizing the commissioners
court of Polk county to employ a deputy
in aid of the regularly elected sheriff of
said county, etc., and declaring an emer-
gency."

Has carefully compared same and
find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 649, A bill to be entitled

"An Act creating a more efficient road system for Delta county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 677, A bill to be entitled "An Act to provide for the selection of jurors for service in civil suits in the district and county courts of counties having a population of at least 16,775 and not more than 17,000, as shown by the preceding Federal census, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 710, A bill to be entitled "An Act to amend Section 34.41.65 (so noted in the Revised Civil Statutes of Texas), Article 199, of Title 8, of the Revised Civil Statutes of Texas, changing the time of holding the terms of the district court of the Thirty-fourth Judicial District of Texas, and permitting the continuing of the terms of court in Hudspeth and Culberson counties by the court, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 675, A bill to be entitled "An Act providing for a rural school supervisor in lieu of the teachers' insti-

tute as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties having a population of 31,000 to 31,789, according to the Federal census of 1920, and a scholastic population of not less than 9300, as shown by the scholastic census report for the school year 1928-1929, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 592, A bill to be entitled "An Act to amend Article 1435 of the Penal Code of Texas, 1925, as amended by Chapter 77, General and Special Laws of the First Called Session of the Fortieth Legislature, and Article 1435 of the Penal Code of Texas, 1911, relating to the transfer of second-hand or used vehicles and the recording of said transfers, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 495, A bill to be entitled "An Act relating to the registration of motor vehicles, trailers and semi-trailers; prescribing the license fees required for their registration; providing for the distribution and appointment of all license fees collected pursuant to this act, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 619, A bill to be entitled "An Act to amend Articles 7677 and 7684, Chapter 2, Title 128, of the Revised Civil Statutes of Texas, 1925, as

follows: Amend Article 7677 by providing that delinquent tax rolls shall be made up on the 31st day of January and 31st day of July of each year; and amending Article 7684 by providing that one-half of all taxes levied under this chapter for the calendar year 1929 and for each calendar year thereafter shall become due on the first day of November of each year, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 706, A bill to be entitled "An Act to amend Title 44, Article 2350b, of the Revised Civil Statutes of 1925, relating to payment of county commissioners, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 718, A bill to be entitled "An Act providing for the establishment of a prison reformatory in connection with the State prison system for young, short-term prisoners, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 297, A bill to be entitled "An Act providing that all water control and improvement districts heretofore organized under the provisions of Chapter 3a, Title 128, Revised Civil Statutes of Texas, and or under the provisions of Chapter 3a, Title 128, Revised Civil Statutes of Texas, and the Acts of the Fortieth Legislature at the First Called Session amendatory there-

of, and in the organization of which petitions were signed by more than fifty persons owning land within the boundaries of such district and on which petitions hearings were held by the commissioners court of the county in which such districts were situated and in which such court entered its order or judgment finding in favor of the petitioners for the creation and establishment of such districts and appointed a board of directors therefor, and in which districts elections have been held for the purpose of voting upon the confirmation of the organization of such districts and the issuance of preliminary bonds of said districts and levying of a tax upon all taxable property in said districts for the purpose of paying such bonds at maturity and the interest thereon, and at which elections the confirmation of the organization of the districts received a majority of the qualified voters voting at said elections, the organization of such districts and the authorization for the issuance of preliminary bonds and the levy of a tax upon all property within such districts subject to taxation sufficient to pay said preliminary bonds and the interest thereon are hereby ratified, approved, confirmed and validated; all such water control improvement districts are hereby expressly declared to be validly created and organized; the board of directors of such districts shall have the power and are hereby expressly authorized to make and enter any and all orders and provisions necessary for the purpose of issuing and selling the preliminary bonds voted and authorized by said elections and are hereby expressly authorized to levy general ad valorem taxes on all taxable property situated in such districts at the time such preliminary bonds are issued, in amount sufficient to pay the interest on such preliminary bonds and the principal thereof as same mature, and the costs of assessing and collecting such taxes, and such preliminary bonds, when issued and delivered, shall be the general, direct and binding obligations of such districts so issuing same; it shall not be necessary to validate such preliminary bonds by suit in court or any other proceeding; and further providing that all such districts shall be water control and improvement districts under the provisions of Chapter 3a, Title 128, Revised Civil Statutes of Texas and the Acts of the Fortieth Legislature at the First Called Session amendatory thereof, and under the provisions of Section 59, of Article 16, of

the Constitution of the State of Texas, and may incur indebtedness to fully carry out each and all of the purposes of its organization when such indebtedness has been, or may be hereafter authorized by a majority of the legally qualified property taxpaying voters voting at an election for that purpose, and may levy taxes for the payment of its obligations and the maintenance and operation of such districts, and shall be governed by the provisions of the laws of the State of Texas applying to water control and improvement districts except as otherwise herein provided, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room.

Austin, Texas, February 23, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 22, Relating to erecting a monument to World War veterans.

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room.

Austin, Texas, February 22, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 608, "An Act granting to cities located in any county in this State of less than one hundred thousand inhabitants according to the last United States census, and which county contains a city of more than forty-three thousand inhabitants according to said census, the right to execute leases not to exceed a period of ninety-nine years, on islands, flats and other submerged lands heretofore granted by the State of Texas, or the Republic of Texas to such cities, and providing that no provision shall ever be incorporated in any such lease restricting the right of the lessee to construct, establish, maintain, equip and operate docks, wharves, ferries, ferry landings, loading and unloading devices and shipping facilities and to demand and receive compensation for services furnished for private purposes or otherwise, and that every such lease shall specify the purposes for which the same

is made and provide a maximum period of five years within which the lessee shall exercise the rights and privileges granted, and reserving portions of any such island, flats or other submerged lands abutting and extending for a distance of two thousand feet along existing navigable channels and extending back from said channel fifteen hundred feet from the point of mean low tide, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room.

Austin, Texas, February 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 523, "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of Childress county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room.

Austin, Texas, February 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 557, "An Act to amend Chapter 78 of the Local and Special Laws created by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath county, as same is amended by Chapter 123, Special Laws of the Fortieth Legislature at its Regular Session in 1927, by changing the date in Section 2a therein from March 1, 1927, to January 1, 1929."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room.

Austin, Texas, February 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 565, "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of

Foard county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 180, "An Act to amend Article 1302 of the Revised Civil Statutes of Texas, as amended by Chapter 11 and Chapter 200, Acts of the Regular Session of the Fortieth Legislature, by adding to said Article 1302 a new subdivision to be known as subdivision 91, providing for incorporation for the establishment, support and maintenance of automobile clubs for the mutual benefit and protection of automobile operators with power to acquire and own all property incidental to such business, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 163, "An Act amending Article 2094 of the Revised Civil Statutes of 1925, relating to the selection of jurors for service in the district and county courts, so as to make said article apply in any county having a population of at least fifty-eight thousand or having therein a city containing a population of at least twenty thousand as shown by the preceding Federal census, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 161, "An Act amending

Article 591 of the Code of Criminal Procedure of the State of Texas, 1925, relating to the selection of special venire, so as to make said article apply in any county having a population of at least fifty-eight thousand or having therein a city containing a population of at least twenty thousand, as shown by the Federal census of 1920, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 84, "An Act to amend Article 478 of the Penal Code of Texas, of 1925, so as to make it unlawful for any person to drink liquor on any common carrier,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 75, "An Act to amend Articles 1819, 1821 and 1824, Revised Statutes of the State of Texas, 1925,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 7, "An Act to provide authority to the State Highway Commission to select and maintain temporary detour roads through counties where construction of designated parts of the State highway system is being carried on, and setting forth the duties of the Commission and of the counties therewith. And providing authority to county commissioners courts to select and maintain temporary detour roads in the county where construction of any public road is being carried on, not part of the State system of designated

highways, and setting forth the duties of the commissioners court therewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 458, "An Act to create La Feria water control and improvement district, Cameron county number three (3) in Cameron county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the original organization of said district as water improvement district under Article 3, Section 52, of the Constitution; validating and approving all orders made by the board of directors of said district converting said district to a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas; validating all assessments of taxes, the authorization, issuance and sale of bonds thereof and providing for their payment and the issuance and sale of the bonds of said district, and providing for their payment by the annual levy, assessment and collection of general and ad valorem taxes on all taxable property in said district; approving and validating all orders of the commissioners court of said county and of the board of directors of said district, bonds and taxes or certified copies thereof, and constituting all such orders and their record legal evidence; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 455, "An Act to create LaSalle county water improvement district No. 1, embracing lands in

the county of LaSalle, in the State of Texas, as a water improvement district and body politic and corporate under Section 59, Article 16, of the Constitution, and defining its boundaries,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room.

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 413, "An Act to amend Chapter 193 of the General Laws of the Fortieth Legislature, page 275, to provide for and regulate the method of taking or catching fish in the public fresh waters of Marion, Cass, Bowie, Harrison and Rusk counties, State of Texas, and providing penalties for violations, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 21, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 216, "An Act to validate all school districts created under Chapter 84 of the Acts of the First Called Session of the Fortieth Legislature in 1927; and particularly all independent school districts created under and by virtue of Section 5 of said act; validating all bonds issued or authorized to be issued by said school districts; validating all bond proceedings of said school districts in which the petition, order or notice of election did not contain definite maturity dates of the bonds, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room.

Austin, Texas, February 22, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 92, "An Act making it lawful for the commissioners court of Clay, Archer, Baylor, Young, Wise, Wilbarger, Wichita, Coryell, Callahan, Jack-

son, Eastland, Wharton, Taylor and Brazos counties to pay out of the general fund of such counties, bounties for the destruction of predatory animals, providing that on petition of two hundred freeholders, the commissioners court of such county may provide amount of bounty and method of proof to entitle claimant to obtain such bounty and prescribing manner of payment, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, February 23, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 653, "An Act to amend Chapter 25 of the General Laws of the State of Texas as passed by the Regular Session of the Thirty-ninth Legislature, as amended by Chapter 107 of the General Laws of the State of Texas, passed by the First Called Session of the Fortieth Legislature in so far as such chapters apply to counties having a population of not less than 10,000, nor more than 10,050; providing a legal method of abolishing water control and improvement districts created under such acts in counties having a population as above stated, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 248, "An Act to amend Article 879h, Chapter 215 of the General and Special Laws of the State of Texas, passed by the Fortieth Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 195, "An Act providing that

all sales of real estate for the collection of delinquent taxes due thereon shall be made only after foreclosure of tax lien securing same in accordance with existing laws governing delinquent tax foreclosure suits; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 5, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 354, "An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State Government, as named herein, for the balance of the fiscal year ending August 31, 1929, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

THIRTY-THIRD DAY

(Continued.)

(Wednesday, February 27, 1929.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Purl, Senate bill No. 505 was ordered not printed.

On motion of Mr. Woodall, Senate bill No. 318 was ordered not printed.

PROPOSED AMENDMENT TO THE HOUSE RULES.

Mr. Wallace offered the following proposed amendment to the House Rules:

Amend Section 1 to Rule XXVIII by amending to read as follows:

Of Admission to the House.

1. Persons hereafter named, and none other, shall be admitted to the Hall of the House when the House is in session, viz.: The members and employes of the House; Senators and employes of the Senate; the Governor and